



**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY  
HAZARDOUS WASTE INSPECTIONS AND COMPLIANCE UNIT**

**HAZARDOUS WASTE INSPECTION REPORT**

**FACILITY NAME:** Semiray Special Processes Division

**INSPECTION ID#:** 154138

**EPA ID NUMBER:** AZD 981 636 129

**STREET ADDRESS:** 3027 East Washington Street

**CITY/STATE/ZIP:** Phoenix, Arizona 85034

**LATITUDE/LONGITUDE:** N33° 26' 52.9" W112° 00' 57.9"

**TELEPHONE NUMBER:** (602) 275-1917

**MAILING ADDRESS:** Same

**INSPECTION DATE:** February 1, 2010

**FACILITY REPRESENTATIVE(S) AND TITLE(S):**

1. Michael Howcroft, Environmental Safety Engineer
2. Craig O'Harris, Maintenance Manager

**ADEQ REPRESENTATIVE(S):**

1. Pamela Nicola, Compliance Officer, Hazardous Waste Inspections and Compliance Unit
2. Aleksandra Argals, Compliance Officer, Hazardous Waste Inspections and Compliance Unit

**OTHER PARTICIPANTS/AGENCIES:**

None

**NOTE:** Any omissions in this report and any accompanying notices shall not be construed as a determination of compliance with applicable regulations. Any regulatory citations to 40 CFR are as adopted by the Arizona Administrative Code, A.A.C. R18-8-201 *et seq.*

## **1. BACKGROUND INFORMATION**

Representatives of the Arizona Department of Environmental Quality (ADEQ), Hazardous Waste Inspections and Compliance Unit (HWICU) conducted a small quantity generator (SQG) complaint inspection of Semiray Special Processes Division (Semiray) on February 1, 2010. The purpose of the inspection was to determine compliance with applicable hazardous waste rules and regulations in response to a complaint received by HWICU on January 25, 2010.

The complainant stated the facility collects waste into trenches and sumps which are never cleaned, some sump pumps do not work, and the concrete floors are heavily stained, etched, cracked and unlined.

According to ADEQ records, the last hazardous waste inspection of the facility was completed by HWICU on September 2, 2004, when the facility was under different ownership as Kachina Technical Services, Inc. (Kachina). Kachina received a Notice of Violation on October 14, 2004, as a result of the September 2, 2004, inspection. Their alleged violations included failure to mark and date hazardous waste containers, failure to maintain an updated contingency plan, failure to perform a waste determination, and failure to mark universal waste containers.

The facility has reported the following to the ADEQ Geographic Information Systems & Information Technology Unit:

**EPA Notification Form 8700-12 Status/Year:** LQG / 2004

**Facility Annual Report Status/Year:** CESQG / 2008

**Annual ADEQ Facility Registration Fee Status/Year:** CESQG / 2008

**Database Manifest Totals:** 5,166 lbs / 2008

During the inspection, Semiray reported the following other permits or activities:

**Air Quality Permits:** Maricopa County Non-Title V

**Drywells:** Two

**Sewer System/Septic:** City of Phoenix discharge permit

**APP #:** None

**AZPDES #:** None

**Landfill/Dumpster/Hauler:** Waste Management

**Hazardous Waste Hauler:** Ashland

**Underground Storage Tanks:** None

**Last Fire Department Inspection:** Approximately 2005

Arizona Department of Environmental Quality  
Hazardous Waste Inspections and Compliance Unit

PHOTOGRAPHIC LOG

**Site Location:** Semiray Special Processes Division  
3027 E. Washington Ave., Phoenix AZ

**Photographer:**  
Aleksandra Argals

**Camera:**  
Olympus Stylus 850

**Weather:**  
Clear and Cool

**Photo No.** 1      **Date:** 2/1/10

**Direction Photo Taken:**  
South

**Photo Description:**

Facility Sign



**Photo No.** 2      **Date:** 2/1/10

**Direction Photo Taken:**  
Northwest

**Photo Description:**

Southside of Building:

Drywell, left side, has a secondary opening in the middle of the photograph.





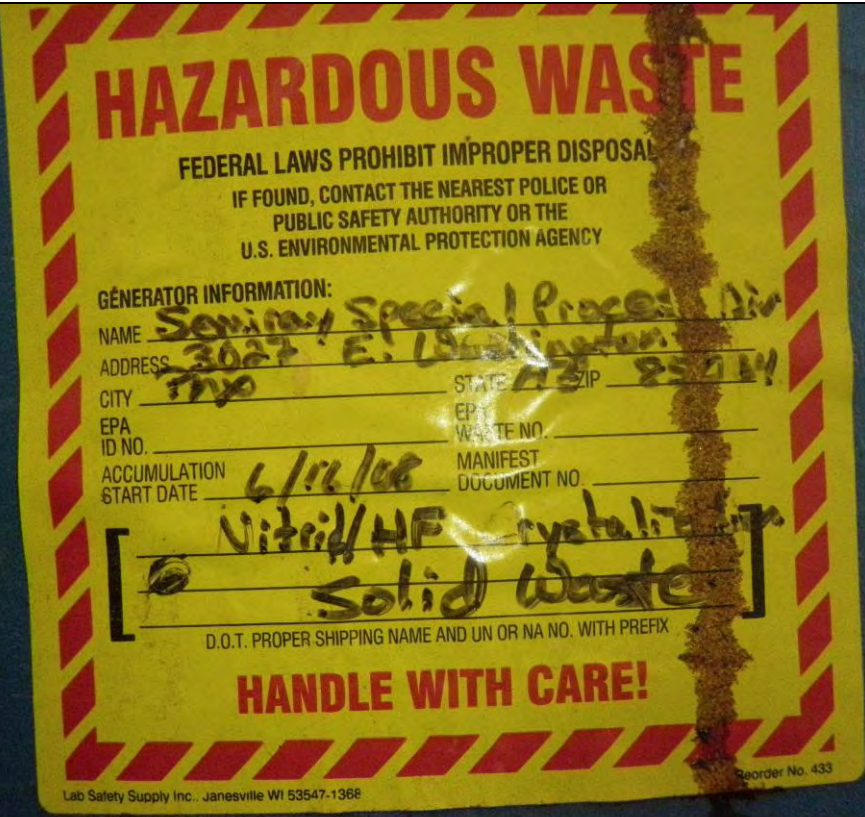


<b>Photographer:</b> Aleksandra Argals		
<b>Photo No.</b> 5	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> Close Up		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 30-gallon container marked "Hazardous Waste Chromic." The container was closed and was properly marked, but was generated more than 180 days from the date of the inspection.		

<b>Photo No.</b> 6	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> Close Up		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon container marked "Hazardous Waste Nitric/HF." The container was closed and was properly marked, but was generated more than 180 days from the date of the inspection.		



<b>Photographer:</b> Aleksandra Argals	
<b>Photo No.</b> 7	<b>Date:</b> 2/1/10
<b>Direction Photo Taken:</b> Close Up	
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon Container marked "Hazardous Waste Nitric/HF Crystallization." The container was closed and was properly marked, but was generated more than 180 days from the date of the inspection.	



**HAZARDOUS WASTE**

FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL  
IF FOUND, CONTACT THE NEAREST POLICE OR  
PUBLIC SAFETY AUTHORITY OR THE  
U.S. ENVIRONMENTAL PROTECTION AGENCY

**GENERATOR INFORMATION:**

NAME Semiray Special Projects, Inc.  
ADDRESS 3027 E. Washington  
CITY PHX STATE AZ ZIP 85034  
EPA ID NO. \_\_\_\_\_ WASTE NO. \_\_\_\_\_  
ACCUMULATION START DATE 6/12/08 MANIFEST DOCUMENT NO. \_\_\_\_\_

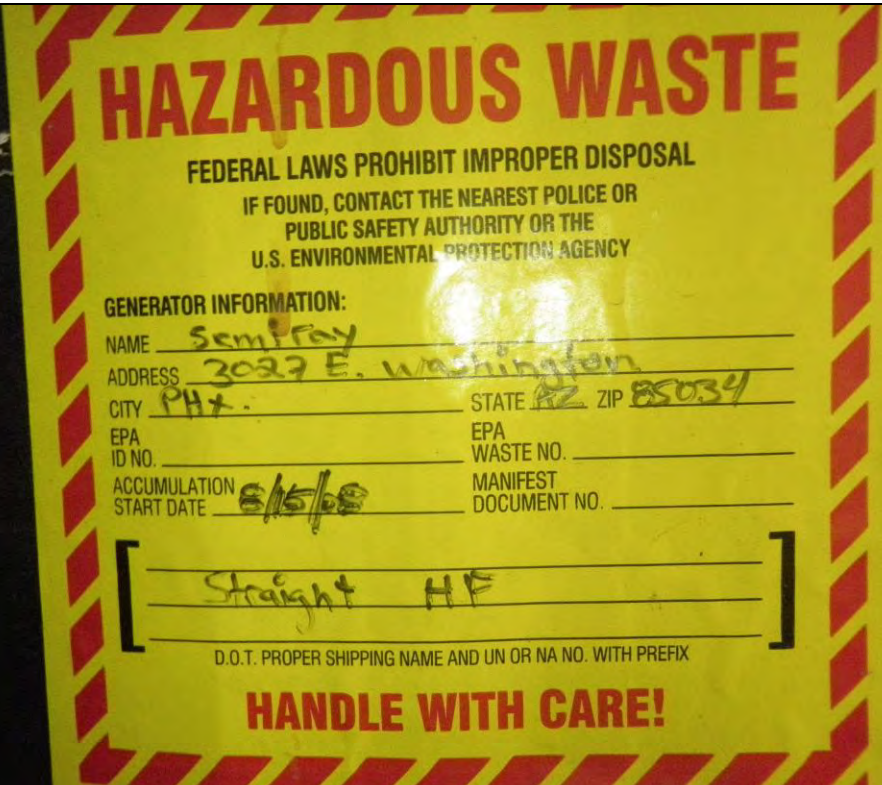
[ Nitric/HF Crystallization  
Solid Waste ]

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

**HANDLE WITH CARE!**

Lab Safety Supply Inc., Janesville WI 53547-1368  
Record No. 433

<b>Photo No.</b> 8	<b>Date:</b> 2/1/10
<b>Direction Photo Taken:</b> Close Up	
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon container marked "Hazardous Waste Straight HF." The container was closed and was properly marked, but was generated more than 180 days from the date of the inspection.	



**HAZARDOUS WASTE**

FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL  
IF FOUND, CONTACT THE NEAREST POLICE OR  
PUBLIC SAFETY AUTHORITY OR THE  
U.S. ENVIRONMENTAL PROTECTION AGENCY

**GENERATOR INFORMATION:**

NAME Semiray  
ADDRESS 3027 E. Washington  
CITY PHX STATE AZ ZIP 85034  
EPA ID NO. \_\_\_\_\_ WASTE NO. \_\_\_\_\_  
ACCUMULATION START DATE 6/15/08 MANIFEST DOCUMENT NO. \_\_\_\_\_

[ Straight HF ]


D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX

**HANDLE WITH CARE!**



<b>Photographer:</b> Aleksandra Argals		
<b>Photo No.</b> 9	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> North		
<b>Photo Description:</b> 180-Day Hazardous Waste Storage Area:  Three closed 55-gallon hazardous waste containers marked "Hazardous Waste Nickel Acetate" and dated "7/24/09," 193 days from the date of the inspection. The drums were to be treated in the Wastewater Treatment Unit (WWTU). Hazardous waste air filters from the paint booth were uncontained and unmarked.		

<b>Photo No.</b> 10	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> North		
<b>Photo Description:</b> 180-Day Hazardous Waste Storage Area:  Two containers of F006 waste from Photographs #3-4 were properly marked, dated, and closed during the inspection.		

<b>Photographer:</b> Aleksandra Argals		
<b>Photo No.</b> 11	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> East		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon container of nitric hazardous waste (6/20/09), three 55-gallon containers of Ferric Hydrofluoric Etch (5/7/09), and two 55-gallon containers of Nickel Aluminized (5/7/09) were closed but not all were labeled (fallen off, Photograph #12) and all were dated over 180 days from the date of the inspection.		

<b>Photo No.</b> 12	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon container of Ferric Hydrofluoric Etch (5/7/09) was closed but not labeled and dated over 180 days from the date of the inspection.		



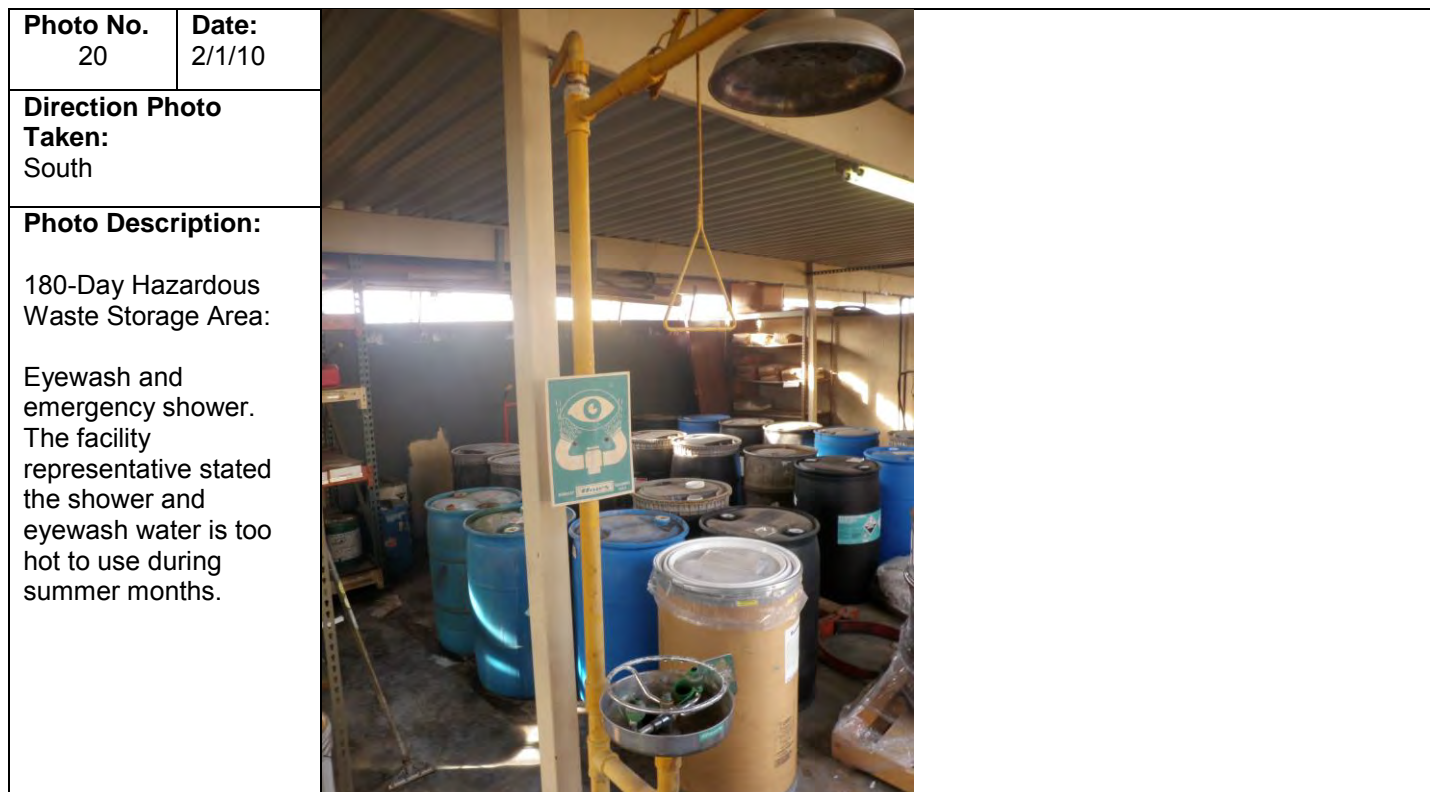
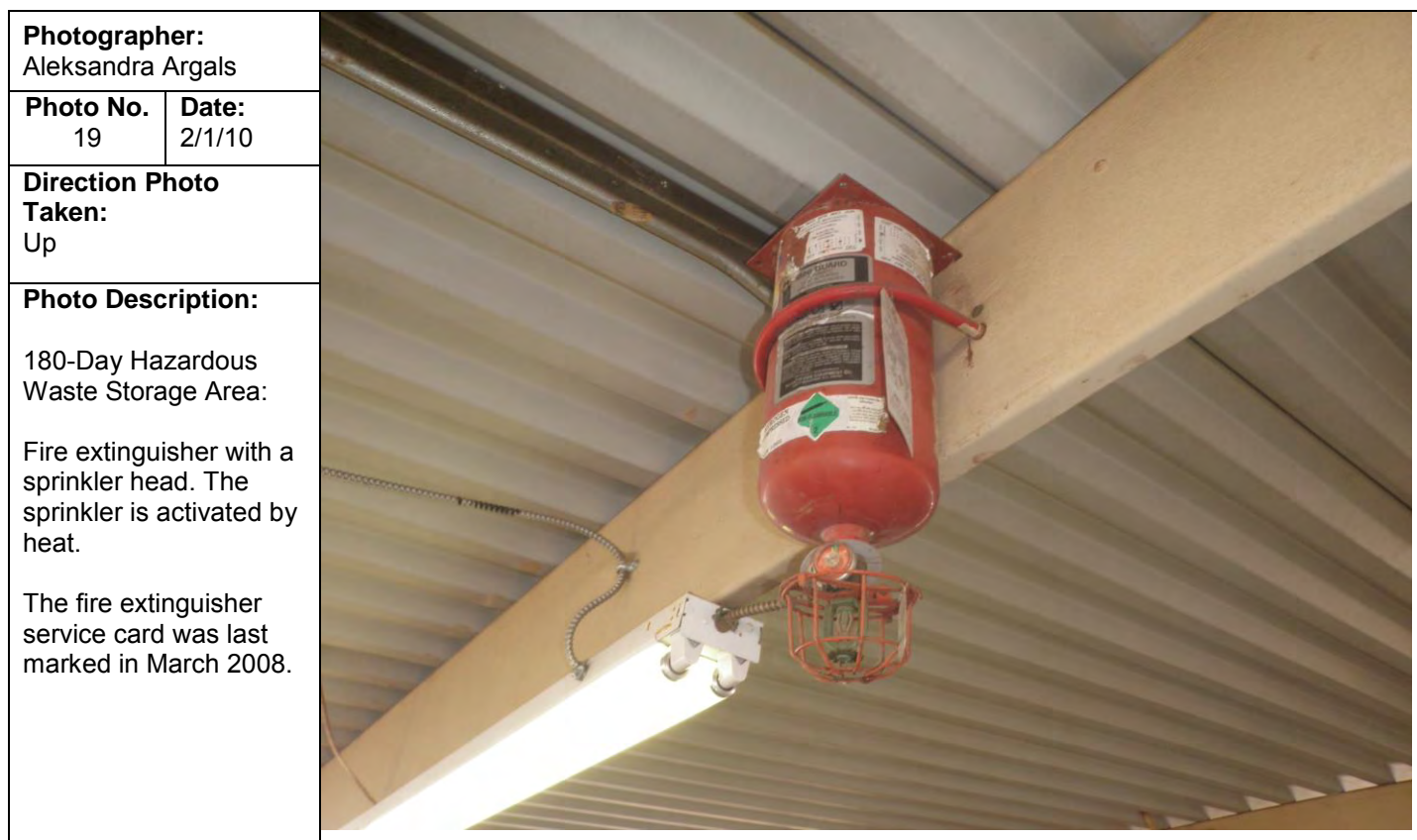
<b>Photographer:</b> Aleksandra Argals		
<b>Photo No.</b> 13	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon container of paint related hazardous waste with a label that was illegible, and it had an open funnel and bung. The facility representative stated that the container is a satellite accumulation container. The container was not at the point of generation.		

<b>Photo No.</b> 14	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> West		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One unmarked 55-gallon container of flammable hazardous waste with an open funnel and bung. The facility representative stated that the container is a satellite accumulation container. The container was not at the point of generation.		

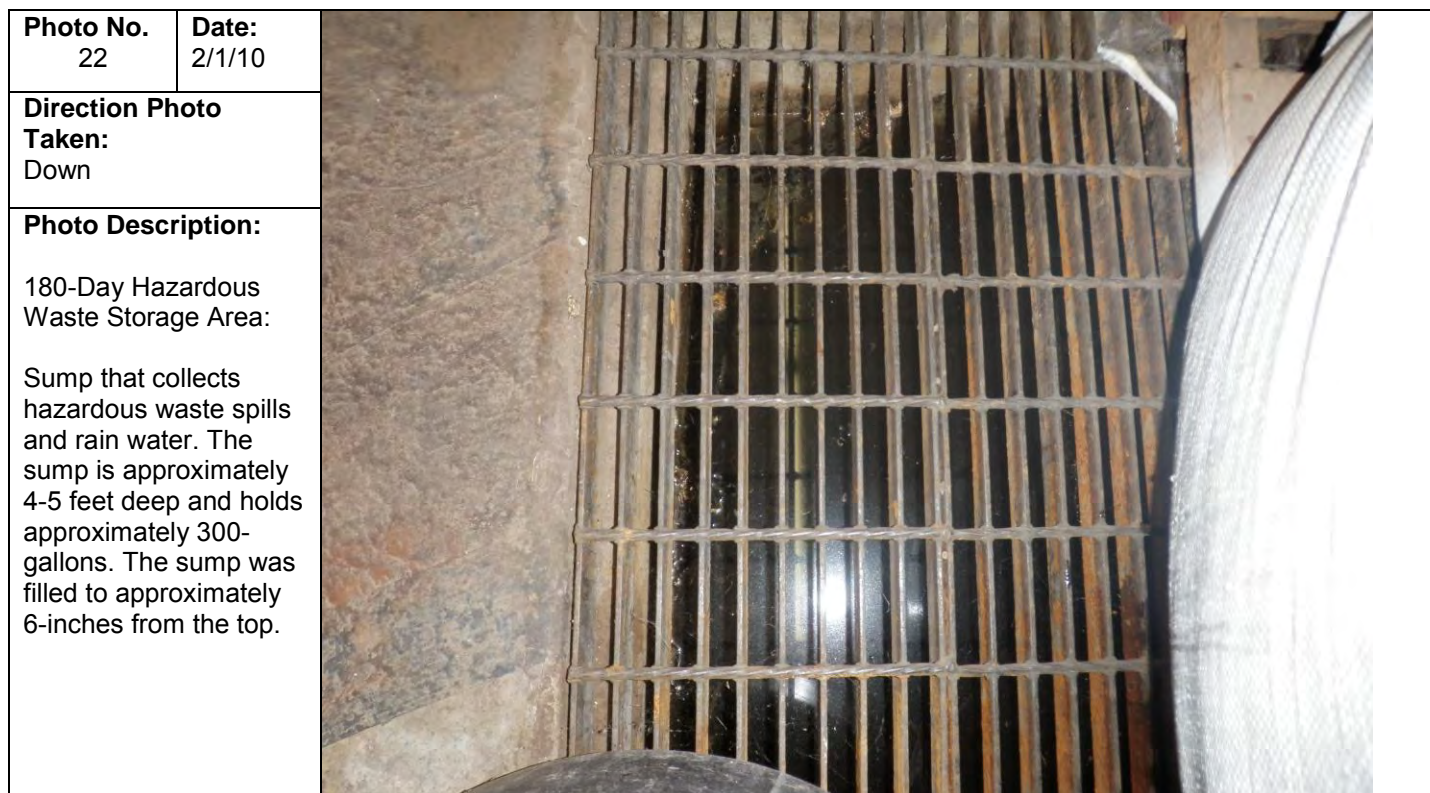


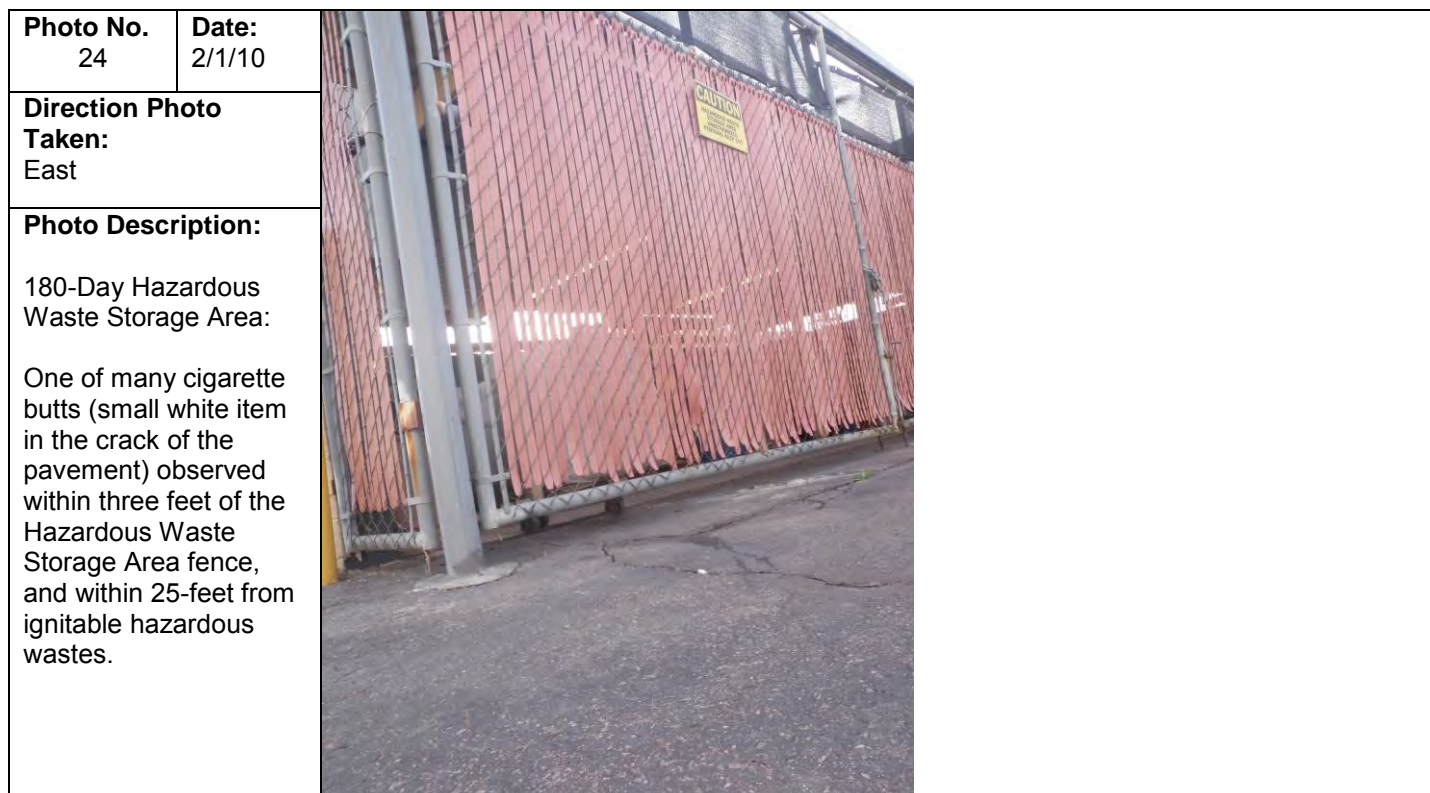






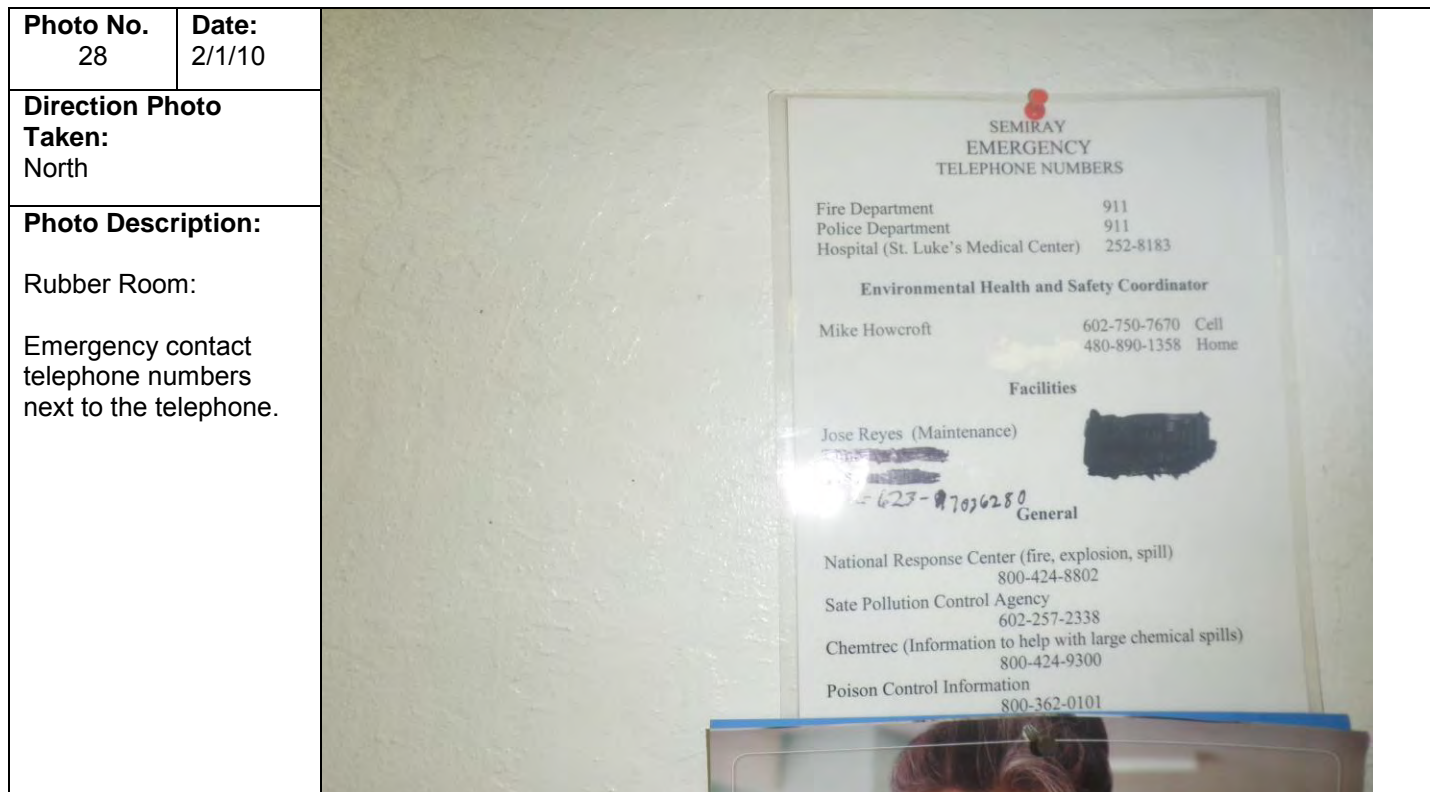




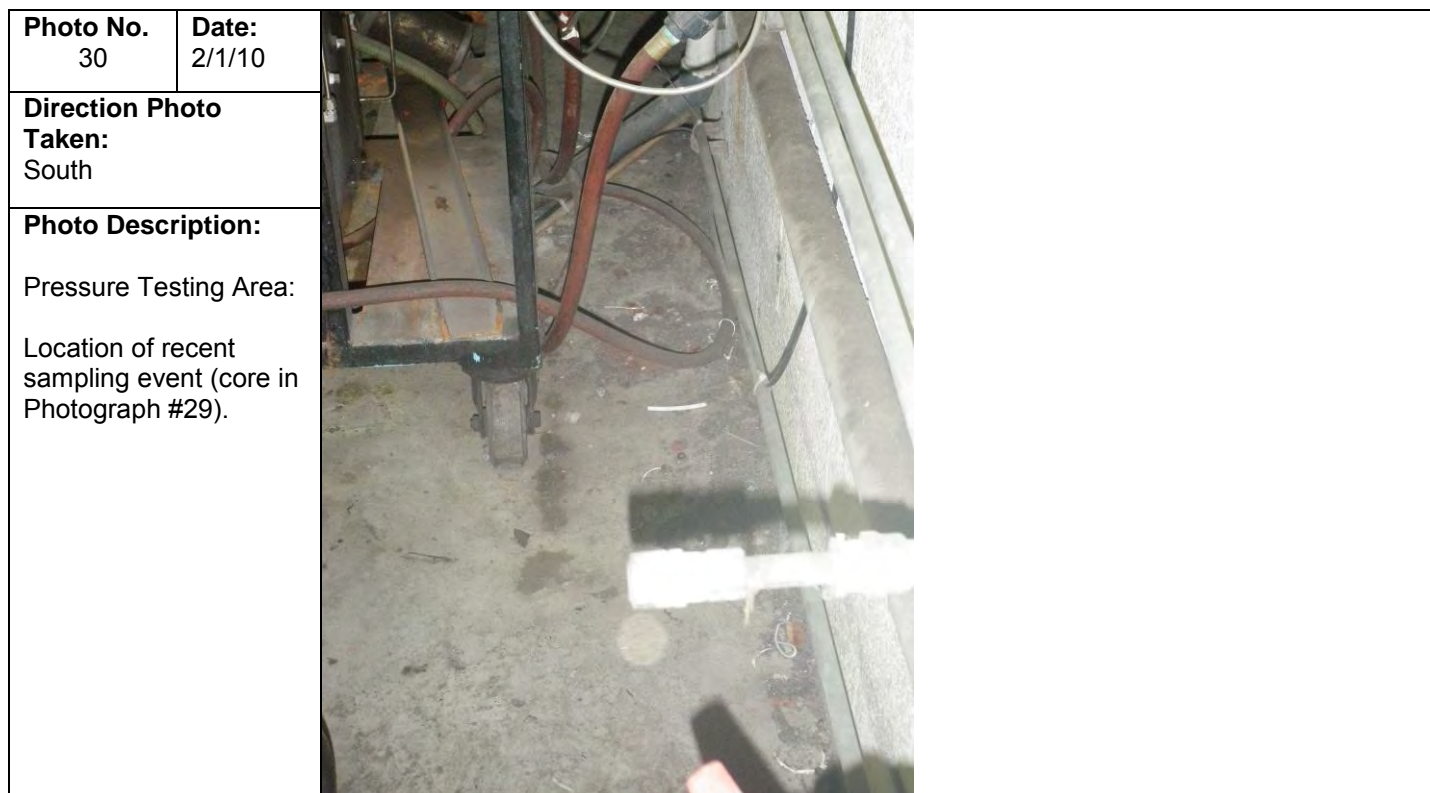












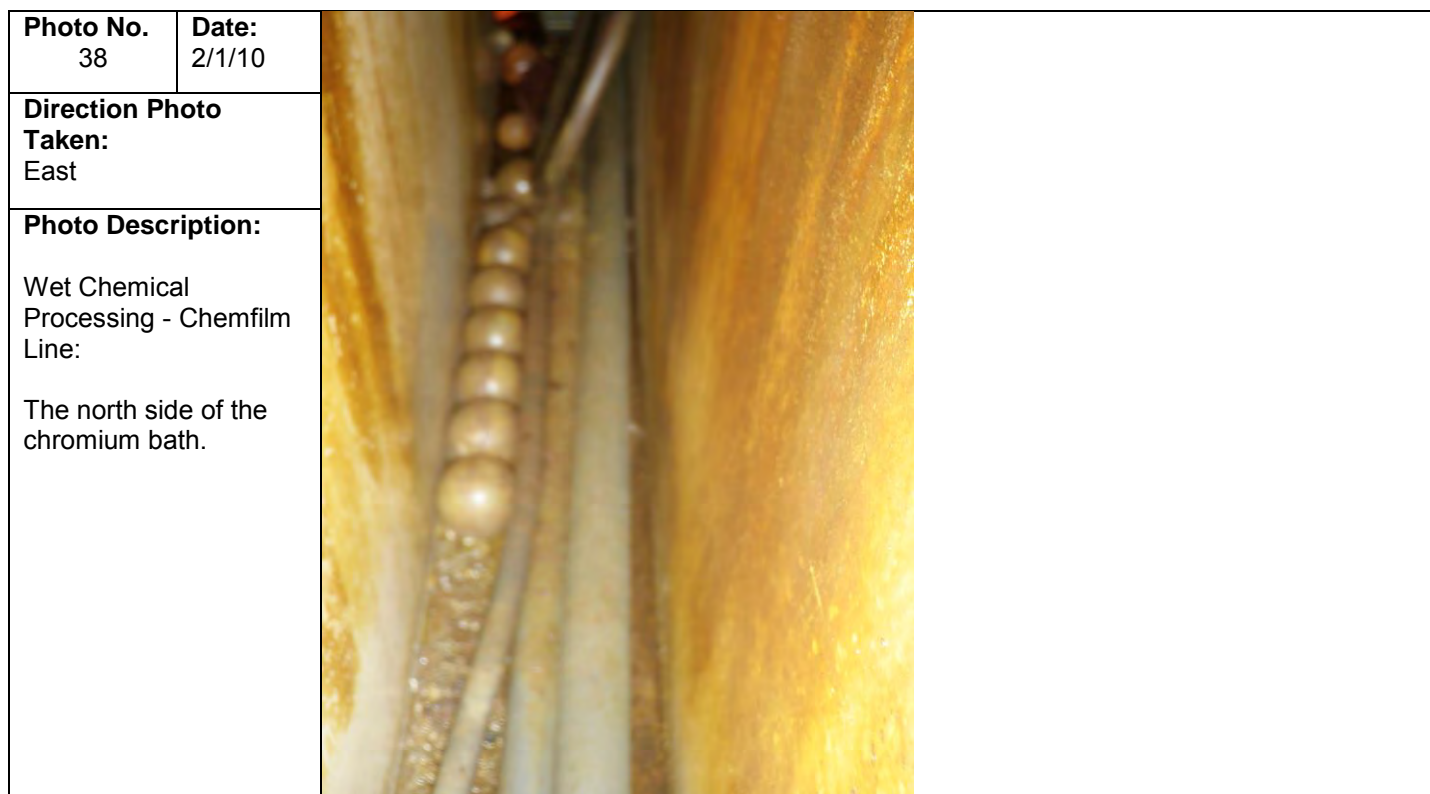













<b>Photographer:</b> Aleksandra Argals		
<b>Photo No.</b> 39	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  Wet Chemical Processing - Anodizing Line:  Flooring showing evidence of hexavalent chromium release. The hexavalent chromium anodizing bath is located above the upper right corner of the photograph.  Also observed is the location of a recent sampling event conducted as a part of the East Washington Superfund Site investigation.		

<b>Photo No.</b> 40	<b>Date:</b> 2/1/10	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  Wet Chemical Processing - Anodizing Line:  Sump showing evidence of hexavalent chromium containment. This location of the sump is cleaned out as needed by facility employees.		

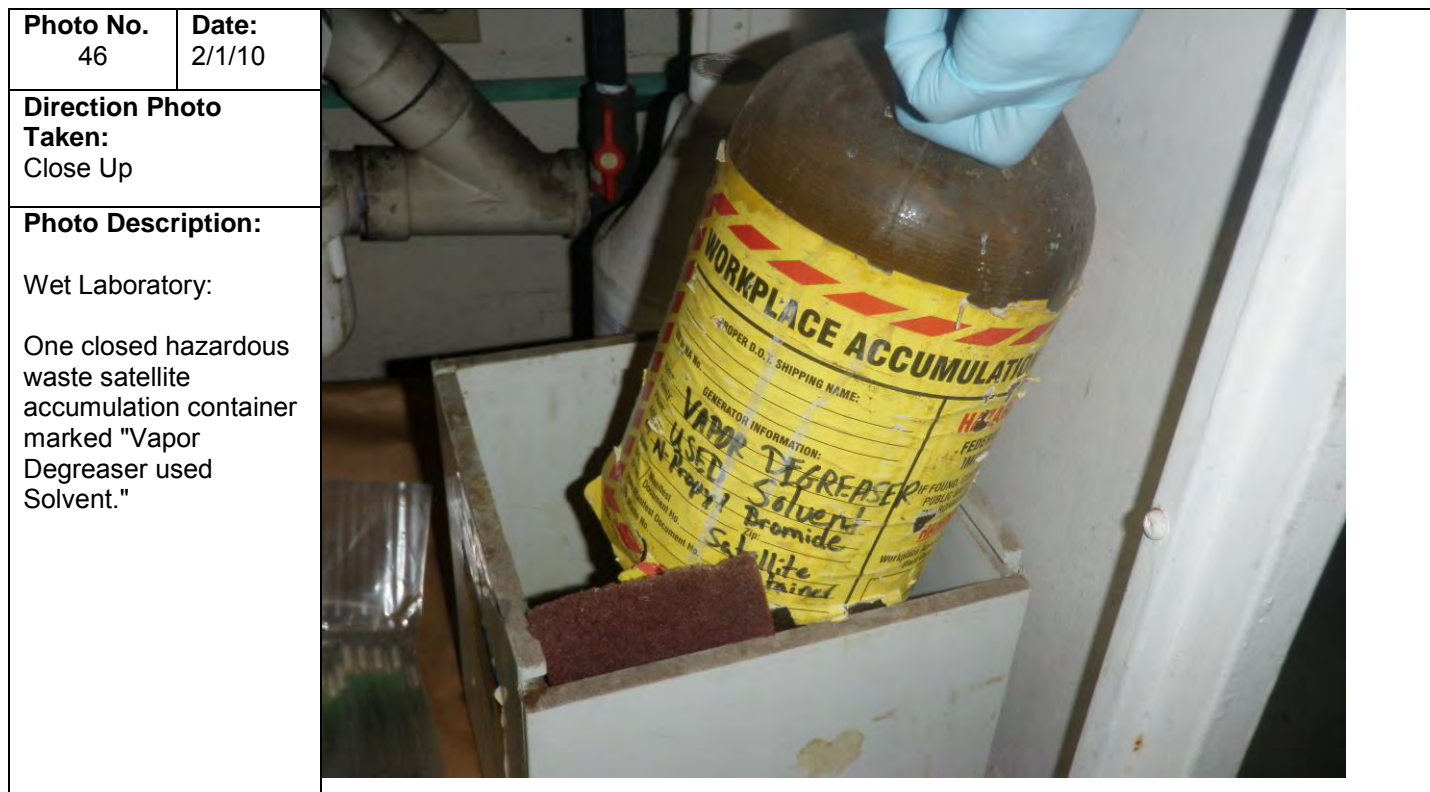
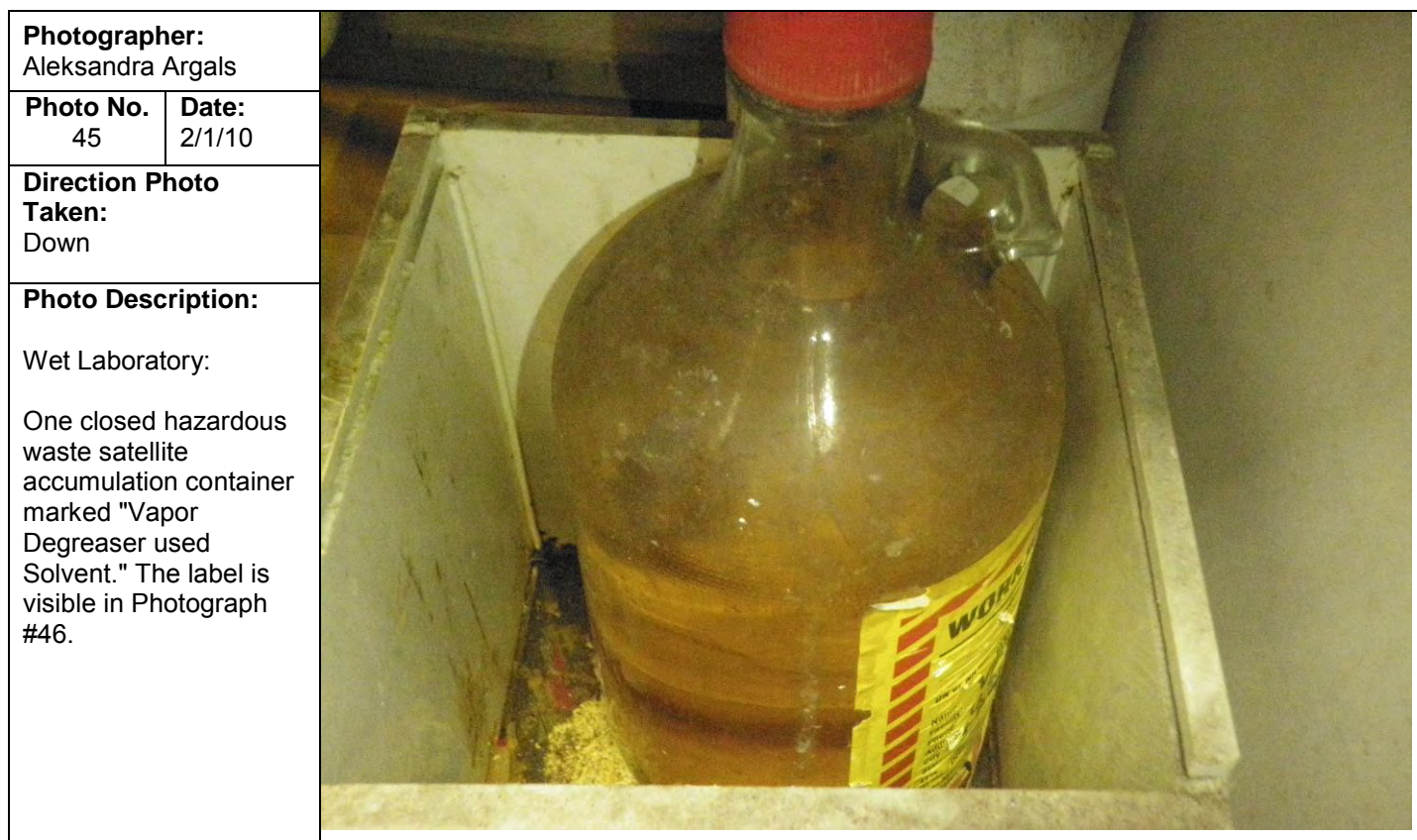













<b>Photographer:</b> Aleksandra Argals		
<b>Photo No.</b> 47		<b>Date:</b> 2/1/10
<b>Direction Photo Taken:</b> South		
<b>Photo Description:</b>  Wet Chemical Processing:  Floor on the north side of the vapor degreaser. Location of a recent sampling event conducted as a part of the East Washington Superfund Site investigation.		

<b>Photo No.</b> 48		
<b>Direction Photo Taken:</b> East		
<b>Photo Description:</b>  Shipping and Receiving:  Emergency contact and phone list posted above the telephone. This is the closest phone to the 180-Day Hazardous Waste Storage Area.		



## 2. GENERAL INFORMATION

Semiray services the aerospace, automotive, and electronics industries; processes at the facility include non-destructive testing, painting, and chemical production lines consisting of a passivation line to clean the materials, chromic and sulfuric acid anodizing lines, an etching line, and chemical film line consisting of cyanide and non-cyanide baths. The parent company, Semiray Inspection Services, is located in Glendale, Arizona; facility representatives stated only X-ray and inspection operations occur at that facility. Semiray has operated under several historical names including Kachina Testing Laboratories and Kachina Technical Services.

The facility is approximately 16,000 square feet and has been in operation at its current site since the 1980s under the ownership of several different companies. Semiray employs approximately 30 persons at the facility and the normal hours of operation are 6:00am to 2:30pm, Monday through Friday, although hours may extend based on facility requirements.

According to the September 2, 2004, HWICU inspection report, Kachina purchased the facility from Joray Corporation in 1999. BOC Edwards co-operated the facility producing semiconductors. Kachina bought BOC Edwards in 2000. During 1999 and 2000, a site assessment was performed, which lead to the discovery of chlorinated solvent contamination in two drywells onsite and in the liquid containment chamber connected to the southern drywell. In 1999, the solvent contamination was below the residential soil remediation levels (SRLs) but was not compared to the groundwater protection levels (GPLs). Lead contamination under part of the building was also detected above the SRLs, requiring that the deed to the property be burdened with a declaration of environmental use restriction (DEUR) completed in 2003. According to facility representatives in 2004, degreasing with trichloroethylene (TCE) and trichloroethane (TCA) was discontinued in 2003. The shipment of TCE and TCA in 2004 was the last remaining hazardous waste generated in the degreasing operations.

### WASTE STREAM IDENTIFICATION AND HANDLING

Waste No.	Waste Stream	Amount	Handling Description
D001, D005, D007, D008	Waste flammable solids (xylene, methyl ethyl ketone)	100 lbs	Shipped off-site as hazardous waste to Clean Harbors Deer Park LP (La Porte, TX).
D001, D007, D035, F003, F005	Waste flammable liquids (methyl ethyl ketone, methyl isobutyl ketone)	366 lbs	Shipped off-site as hazardous waste to Clean Harbors Deer Park LP (La Porte, TX).
D007	Waste corrosive liquid, acidic (chromium)	1,500 lbs	Shipped off-site as hazardous waste to Clean Harbors San Jose LLC (San Jose, CA).

F006	Hazardous waste solid (chromium)	2,000 lbs	Shipped off-site as hazardous waste to Clean Harbors San Jose LLC (San Jose, CA).
D002	Waste corrosive liquid, acidic (ferric chloride, nitric acid)	1,200 lbs	Shipped off-site as hazardous waste to Clean Harbors Craggy Mountain LLC (Craggy Mountain, UT).

**Source of information for table:** 2008 Manifests and ADEQ Database

### 3. PHYSICAL INSPECTION

ADEQ compliance officers arrived at 3027 East Washington Street, Phoenix, Arizona at approximately 8:30am on February 1, 2010 (Photograph #1). ADEQ compliance officers identified themselves to Michael Howcroft, Environmental Safety Engineer, and Craig O'Harris, Maintenance Manager, for Semiray. The ADEQ Notice of Inspection Rights Form was explained to and signed by Mr. Howcroft (Attachment #1). Facility operations were briefly discussed with Mr. Howcroft and Mr. O'Harris, who accompanied ADEQ compliance officers on the entire inspection.

#### 180-Day Hazardous Waste Storage Area

ADEQ compliance officers observed the facility's drywell which is located northwest of the 180-Day Hazardous Waste Storage Area; the drywell has two grates (Photograph #2).

ADEQ compliance officers observed uncontained hazardous waste air filters from the facility's paint booth and two cubic-yard hazardous waste containers of F006 waste; one was partially open, and neither was marked with "Hazardous Waste" or with an accumulation start date (Photographs #3-4, 9). The two cubic-yard containers of F006 waste were properly marked, dated, and closed during the inspection (Photograph #10). Appropriate aisle spacing was an issue, as it was difficult to access all of the containers in the area.

ADEQ compliance officers observed one closed 30-gallon hazardous waste container marked "Hazardous Waste Chromic" and dated "8-6-08," one closed 55-gallon hazardous waste container marked "Hazardous Waste Nitric/HF" and dated "7-10-08," one closed 55-gallon hazardous waste container marked "Hazardous Waste Nitric/HF Crystallization" and dated "6-11-08," one closed 55-gallon hazardous waste container marked "Hazardous Waste Straight HF" and dated "8-15-08," and three closed 55-gallon hazardous waste containers marked "Hazardous Waste Nickel Acetate" and dated "7/24/09" (Photographs #5-9). Each of these hazardous waste containers had an accumulation start date more than 180 days prior to the date of the inspection.

ADEQ compliance officers also observed one closed 55-gallon hazardous waste container marked "Hazardous Waste Nitric" and dated "6-20-09," three closed 55-gallon hazardous waste containers marked "Hazardous Waste Ferric Hydrofluoric Etch" and dated "5-7-09," and two closed 55-gallon hazardous waste containers marked "Hazardous Waste Nickel Aluminized" and



dated “5-7-09” (Photograph #11). One of the ferric hydrofluoric etch labels had fallen off and was located on the ground next to the container (Photograph #12). Each of these hazardous waste containers had an accumulation start date more than 180 days prior to the date of the inspection.

ADEQ compliance officers also observed one closed 55-gallon hazardous waste container marked “Hazardous Waste Flammable” and dated “2-9-09,” two closed 55-gallon hazardous waste containers marked “Hazardous Waste Nickel Acetate” and dated “9-25-09,” one closed 55-gallon hazardous waste container marked “Hazardous Waste L-N-C” and dated “6-22-09,” and one closed 55-gallon hazardous waste container marked “Hazardous Waste Flammable Liquids” and dated “9-10-08.” Each of these hazardous waste containers except the nickel acetate had an accumulation start date more than 180 days prior to the date of the inspection.

ADEQ compliance officers also observed two 55-gallon hazardous waste containers with open funnels and open bungs; one container had a label which was covered with paint and illegible, the other did not have a label (Photographs #13-14). Facility representatives stated these were satellite accumulation containers for paint waste and flammable waste; however, neither container was at a point of generation.

ADEQ compliance officers observed three closed 55-gallon containers marked “Mag Oil;” the containers had “Hazardous Waste” labels, but facility representatives stated the mag oil is not a hazardous waste. ADEQ compliance officers also observed one closed 30-gallon container without a label; facility representatives suspected this was silver waste from the facility’s X-ray machine. ADEQ compliance officers also observed one closed 5-gallon container with an illegible label located in a storage locker; facility representatives were uncertain of its contents (Photograph #15).

The 180-Day Hazardous Waste Storage Area was equipped with spill control equipment, an eyewash/shower station, and eight fire extinguishers with heat-activated sprinkler head attachments; the fire extinguisher service cards were last marked in March 2008 (Photographs #19-20). Facility representatives stated the shower and eyewash water is too hot to use during summer months.

A self-contained sump is located underneath the hazardous waste containers to collect any hazardous waste spills and rain water. The sump is approximately four to five feet deep and holds approximately 300 gallons. At the time of the inspection, the sump was filled to approximately six inches from the top (Photograph #22). Facility representatives stated the sump was emptied approximately one month prior to the inspection. Facility representatives stated that if hazardous waste was spilled and collected in the sump it would be contained and shipped offsite, and normal rainwater collected in the sump would be sent through the facility’s wastewater treatment unit (WWTU).

The 180-Day Hazardous Waste Storage Area is located along the facility's property line; the area lacked a "No Smoking" sign, and cigarette butts were observed on the ground around the area (Photographs #16, 24).

#### Materials Storage Area

The Materials Storage Area is located within the same caged area as the 180-Day Hazardous Waste Storage Area. ADEQ compliance officers observed staining from spilled products including two empty bags of sodium dichromate (Photographs #17-18). A sump located underneath the product container area collects spills and rainwater for treatment through the WWTU (Photograph #21). Facility representatives stated this sump is emptied approximately once per week.

#### Wastewater Treatment Area

Rinsewaters and wastewaters generated throughout the facility run through trenches which are gravity-fed to the WWTU (Photograph #23). Facility representative stated the City of Phoenix performs quarterly sampling of the water discharged to the sewer.

#### Maintenance Shed / Outside Storage Area / Paint Storage Shed

ADEQ compliance officers observed one uncontained broken sodium halide lamp in the Maintenance Shed (Photograph #25). Facility representatives stated they did not know what employees do with spent lamps, but most likely spent lamps are disposed as solid waste. ADEQ compliance officers stated spent mercury-containing lamps must be managed as universal waste and provided the facility with the ADEQ Fact Sheet: *Managing Universal Waste Lamps for Businesses*.

ADEQ compliance officers observed one open 5-gallon container of spent sandblast media located under the sandblast machine in the Outside Storage Area (Photograph #26). Facility representative stated the spent media is disposed as solid waste because the machine is not used often, and it is used to prepare parts rather than strip paint.

ADEQ compliance officers observed the Paint Storage Shed which included chromium and barium-based paints among the products (Photograph #27).

#### Shipping and Receiving Area

ADEQ compliance officers observed an emergency contact and phone list posted above the telephone (Photograph #48). The posted information included the name and phone number of the emergency coordinator and the telephone number of the fire department; however it did not include the location of fire extinguishers or spill control material. This is the closest phone to the 180-Day Hazardous Waste Storage Area.

#### Non-Destructive Testing Area

The Non-Destructive Testing Area uses a fluorescent penetrant dye to inspect parts and materials for flaws. Wastewater from the wash stations in this area is directed to the WWTU.



### Rubber Room

An insulative rubber coating is applied to finished parts in the Rubber Room. ADEQ compliance officers observed emergency contact numbers next to the telephone (Photograph #28).

### Pressure Test Area

Near the Rubber Room, ADEQ compliance officers observed a core from a recent sampling event conducted as a part of the East Washington Superfund Site investigation (Photographs #29-30).

### Paint Area

ADEQ compliance officers observed a paint gun washer and one 5-gallon step can inside paint booth, which is used for disposal of paint-contaminated wipes, MEK-contaminated wipes, and mixing instruments from chromium-based paints (Photographs #31-32). The container's lid did not close completely, and the contents of the step can are managed as non-hazardous solid waste. ADEQ compliance officers inquired how the facility disposes of paint-contaminated tape, paper, and other debris. Facility representatives stated it is disposed as solid waste, but could not provide a waste determination confirming that paint-contaminated waste is not a hazardous waste.

### Wet Chemical Processing

The facility operates three process lines including micro-etch, chemfilm passivate, and anodizing (Photographs #33-35). Facility representative stated the floor had been recoated within the last two years (Photograph #43).

ADEQ compliance officers observed the trench underneath the catwalk in front of the nickel/dichromate tank in the chemfilm passivate line (Photographs #37-38).

ADEQ compliance officers observed the trench in the corner next to the hexavalent chromium tank in the anodizing line, where chromium solution appeared on the floor and in the trench (Photographs #39-42). Facility representatives stated the sump is cleaned out as needed by facility employees.

ADEQ compliance officers observed several points where the floor had been core sampled from a recent sampling event conducted as a part of the East Washington Superfund Site investigation; these points included the south side of the chemfilm line, the corner by the anodizing line, the north side of the vapor degreaser, and near rack storage (Photographs #36, 39, 47).

### X-Ray Processing

The facility manages its own silver recovery unit on the X-ray machine and puts the silver up for sale on the open market; waste films from the X-ray machine are sent for precious metals recovery. ADEQ compliance officers observed one closed 55-gallon hazardous waste satellite accumulation container of lead foil from X-ray films marked "Hazardous Waste" (Photograph #44). The container was approximately 90% full at the time of the inspection.

#### Wet Laboratory

Facility representatives stated the sink in the Wet Laboratory drains to the WWTU. ADEQ compliance officers observed one closed 1-quart hazardous waste satellite accumulation container marked "Vapor Degreaser Used Solvent" (Photographs #45-46).

#### **4. DOCUMENT REVIEW**

The records requested on the Records Request Form were consistent with those required for a SQG facility (Attachment #1).

#### RCRA Subtitle C Site Identification Form (EPA Form 8700-12) – 261.5

The most recent EPA Form 8700-12 was submitted by Semiray in December 2004. It is recommended that the facility submit an updated EPA Form 8700-12 since the site contact person has changed and there may be other changes to hazardous waste activities or waste streams.

#### Maps – Subpart D 265.52 (e) & (f)

Semiray provided a map of the facility building and evacuation routes in the copy of the Hazardous Waste Contingency Plan (Attachment #3).

#### SQG Preparedness and Prevention Information – 262.34(d)(ii) & 265 Subpart C

Semiray had emergency contact information posted in the Shipping and Receiving Area, which is the closest phone to the 180-Day Hazardous Waste Storage Area (Photograph #48). The posted information included the name and phone number of the emergency coordinator and the telephone number of the fire department; however it did not include the location of fire extinguishers or spill control material.

Semiray provided a copy of *Standard Operating Procedure EHS001, Emergency Contingency and Security Plan* (Attachment #3). ADEQ compliance officers recommended revising the document as the listed secondary emergency coordinator no longer works at the facility, and the contact information for the ADEQ Emergency Response Unit was out of date.

#### Facility Annual Report, Registration Fees, Generation Fees – A.R.S. 49-929/930/931/932

Semiray provided the facility annual report, registration fee, and generation fee information for 2007-2005; however, information for 2008 could not be located during the inspection. Facility representatives agreed to submit the information for 2008 with the facility's 10-day response.

#### Waste Determination Records – Subpart A 262.11

Semiray provided waste profiles for paint waste, paint filters, wastewater treatment sludge, and parts cleaning flammable waste (Attachment #3). ADEQ compliance officers requested waste determinations for Oakite 61B, Oakite 160, Sodium Dichromate, Ardrex 970-P24, Mag Oil, Fluorescent Penetrant Dye, LNC, Used Oil, Spent Blast Media, and water from the 180-Day Area



Sump. Facility representatives agreed to send the waste determinations with the facility's 10-day response.

#### Spill Reports – Subpart D 265.56 (j)

Facility representatives stated Semiray had no spills of reportable quantities in the past year; therefore, spill reports were not submitted to ADEQ compliance officers.

#### Training Records – Subpart B 265.16 & Subpart D 265.55

Semiray provided job descriptions for Chemist / Analytical Laboratory Supervisor and Maintenance Technician (Attachment #3). The facility did not have records of RCRA training to document that employees are thoroughly familiar with proper waste handling and emergency procedures.

#### Manifests – A.A.C. R18-8-262

ADEQ compliance officers reviewed the hazardous waste manifests for 2007 and 2009; however, the manifests for 2008 were not available during the inspection. Facility representatives agreed to submit the 2008 hazardous waste manifests with the facility's 10-day response.

#### Land Disposal Restriction Notification Forms – A.A.C. R18-8-268

ADEQ compliance officers reviewed Land Disposal Restriction Notification Forms (LDRs) and determined they were sufficient; a LDR was available for each hazardous waste stream.

#### Waste Analysis Plan or On Site Treatment Plan

Facility representatives agreed to submit the waste treatment plan with the facility's 10-day response.

### **5. EXIT DEBRIEFING AND RECOMMENDATIONS**

At the conclusion of the inspection, ADEQ compliance officers debriefed Mr. Howcroft and Mr. O'Harris on the areas of concern identified during the inspection. See the Exit Debriefing Form provided to the facility on February 1, 2010 (Attachment #1).

### **6. FACILITY RESPONSE**

A 10-day facility submittal was received by ADEQ on February 15, 2010 (Attachment #4). The 10-day submittal included a response to the following issues outlined in the Exit Debriefing Form:

- Semiray submitted nine photographs of closed, marked, dated containers; a "No Smoking" sign; emergency contact information; and an emergency radio.
- Semiray submitted three standard operating procedures (SOPs) titled *Hazardous Waste Determination and Management*, *Wastewater Treatment Operations Manual*, and *Emergency Contingency and Security Plan*.

- Semiray submitted registration and generation fee invoices and hazardous waste manifests for 2008.
- Semiray submitted a training roster and course profile for in-house hazardous waste training conducted on February 9, 2010.
- Semiray submitted the chain of custody for samples collected by the facility of spent sandblast media and water from the sump in the 180-Day Hazardous Waste Storage Area.
- Semiray submitted material safety data sheets for sodium dichromate, Magnaflux® oil based carrier, Oakite® 160, Oakite® 61B, Deoxidizer® LNC, and Ardrex® 970P24.



Arizona Department of Environmental Quality  
Hazardous Waste Inspections and Compliance Unit

**ATTACHMENTS**

1. Hazardous waste inspection field forms
  - Notice of Inspection Rights
  - Hazardous Waste Records Request
  - Inspection Exit Debriefing
  - Complaint Form
2. Documents reviewed prior to the inspection
  - Registration Fees for 2007
  - RCRA Subtitle C Site Identification Form (EPA Form 8700-12)
  - Arizona Corporation Commission Information
  - Website Information
  - Aerial Map
3. Documents provided during the inspection
  - Waste Profile Sheets
  - Contingency Plan
  - Job Descriptions
4. Facility Submittals
  - 10-Day Response to the Exit Debriefing received February 15, 2010

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\* Attachments are located in the ADEQ Hazardous Waste Inspections and Compliance Facility File and may be requested for viewing through the ADEQ Records Management Unit



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street Phoenix, Arizona 85007  
(602) 771-2300 www.azdeq.gov



Benjamin H. Grumbles  
Director

CERTIFIED MAIL  
Return Receipt Requested

Case ID #: 116559

April 26, 2010

Semiray Inspection Services Inc  
Attention: Michael J. Howcroft  
3027 E Washington St  
Phoenix, AZ 85034-1517

Subject: Semiray Special Processes, Place ID 2797  
3027 E Washington St / Phoenix, AZ 85034-1517

## NOTICE OF VIOLATION

The Arizona Department of Environmental Quality (ADEQ) has reason to believe that Semiray Inspection Services Inc as the owner/operator of Semiray Special Processes has violated a requirement of the Arizona Revised Statutes (A.R.S.), a rule within the Arizona Administrative Code (A.A.C.), or an applicable permit/license, administrative order or civil judgment. ADEQ discovered the violations alleged below during an inspection completed on February 01, 2010.

### I. LEGAL AUTHORITY and NATURE OF ALLEGED VIOLATION(S)

#### 1. **40 CFR § 262.34(d) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

#### **Storage of hazardous waste without a permit by failing to comply with the permit exemption that requires accumulation not exceed 180 days**

At the time of the February 1, 2010, inspection, ADEQ compliance officers observed numerous hazardous waste containers in the 180-day hazardous waste storage area, which were marked with an accumulation start date more than 180 days prior to the date of the inspection.

ADEQ compliance officers observed one closed 30-gallon hazardous waste container marked "Hazardous Waste Chromic" and dated "8-6-08," one closed 55-gallon hazardous waste container marked "Hazardous Waste Nitric/HF" and dated "7-10-08," one closed 55-gallon hazardous waste container marked "Hazardous Waste Nitric/HF Crystallization" and dated "6-11-08," one closed 55-gallon hazardous waste container marked "Hazardous Waste Straight HF" and dated "8-15-08," three closed 55-gallon hazardous waste containers marked "Hazardous Waste Nickel Acetate" and dated "7-24-09," one closed 55-gallon hazardous waste container marked "Hazardous Waste Nitric" and dated "6-20-09," three closed 55-gallon hazardous waste containers marked "Hazardous Waste Ferric Hydrofluoric Etch" and dated "5-7-09," two closed 55-gallon hazardous waste containers marked "Hazardous Waste Nickel Aluminized" and dated "5-7-09," one closed 55-gallon hazardous waste container marked "Hazardous Waste Flammable" and dated "2-9-09," one closed 55-gallon hazardous waste container marked "Hazardous Waste L-N-C" and dated "6-22-09," and one closed 55-gallon hazardous waste container marked "Hazardous Waste



Flammable Liquids" and dated "9-10-08."

On February 15, 2010, in the facility's 10-day response, Semiray Special Processes Division (Semiray) submitted a standard operating procedure (SOP) titled "Hazardous Waste Determination and Management," which discusses pre-transport requirements, weekly inspections, and shipment of hazardous waste off site within 180 days.

2. **40 CFR § 262.34(d)(4) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires each container to be marked with the date upon which accumulation began.**

At the time of the inspection, ADEQ compliance officers observed hazardous waste which was not marked with an accumulation start date. Semiray had failed to date hazardous waste air filters from the facility's paint booth and two cubic-yard containers of F006 hazardous waste in the 180-day hazardous waste storage area. During the inspection, the two cubic-yard containers of F006 waste were properly dated with an accumulation start date.

On February 15, 2010, Semiray submitted one photograph of a closed container marked "Hazardous Waste" and "Used Paint Filters" and dated "2-9-10." Semiray also submitted a SOP titled "Hazardous Waste Determination and Management," which discusses pre-transport requirements, weekly inspections, and shipment of hazardous waste off site within 180 days. No further action is required.

3. **40 CFR § 262.34(d)(4) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 180--day accumulation exemption that requires each container and tank be labeled or marked clearly with "Hazardous Waste".**

At the time of the inspection, Semiray had failed to mark hazardous waste air filters from the facility's paint booth and two cubic-yard containers of F006 hazardous waste in the 180-day hazardous waste storage area with the words "Hazardous Waste." During the inspection, the two cubic-yard containers of F006 waste were properly marked as "Hazardous Waste."

On February 15, 2010, Semiray submitted one photograph of a closed container marked "Hazardous Waste" and "Used Paint Filters" and dated "2-9-10." Semiray also submitted a SOP titled "Hazardous Waste Determination and Management," which discusses pre-transport requirements, weekly inspections, and shipment of hazardous waste off site within 180 days. No further action is required.

4. **40 CFR § 262.34(d)(2) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires compliance with the use and management of containers requirements in 40 CFR 265, Subpart I.**

Pursuant to 40 CFR 265, Subpart I, a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste. Additionally, if a container holding hazardous waste is not in good condition, or it begins to leak, the hazardous waste must be transferred from the container to a container that is in good condition.

At the time of the inspection, Semiray had failed to containerize hazardous waste air filters from the facility's paint booth and failed to close one cubic-yard container of F006 hazardous waste in the 180-day hazardous waste storage area. During the inspection, the two cubic-yard containers of F006 waste were properly closed.

On February 15, 2010, Semiray submitted one photograph of a closed container marked "Hazardous Waste" and "Used Paint Filters" and dated "2-9-10." Semiray also submitted a SOP titled "Hazardous Waste Determination and Management," which discusses pre-transport requirements, weekly inspections, and shipment of hazardous waste off site within 180 days. No further action is required.

5. **40 CFR § 262.34(d)(4) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires compliance with preparedness and prevention requirements in 40 CFR 265, Subpart C.**

Pursuant to 40 CFR 265, Subpart C, facilities must be managed and operated to minimize the possibility of a fire, explosion, or an unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents. All facilities must be equipped with the following: (a) an internal communications or alarm system; (b) a communication device immediately available at the scene of operations capable of summoning emergency assistance; (c) portable fire extinguishers and decontamination equipment in case of accidental release in the hazardous waste storage area; and (d) water at adequate volume and pressure to supply water hose streams or automatic sprinklers in case of accidental releases, fire, or explosion in the hazardous waste storage area. The facility must also maintain and test all emergency equipment, make arrangements with local authorities, and maintain aisle space to allow the unobstructed movement of emergency personnel and equipment to any area of the facility in operation.

At the time of the inspection, ADEQ compliance officers observed inadequate aisle spacing in the 180-day hazardous waste storage area. The 180-day hazardous waste storage area was equipped with an eyewash/shower station and eight fire extinguishers with heat-activated sprinkler head attachments; however, the fire extinguisher service cards were last dated in March 2008, and facility representatives stated the eyewash/shower station water is too hot to use during summer months. Additionally, the 180-day hazardous waste area did not have emergency communication equipment.

On February 15, 2010, Semiray submitted three photographs of the 180-day hazardous waste storage area demonstrating emergency contact information and a two-way radio had



been added.

6. **40 CFR § 262.34(d)(5)(ii) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires posting of emergency information next to the telephone**

At the time of the inspection, ADEQ compliance officers observed an emergency contact and phone list posted above the telephone in the shipping and receiving area, which is the closest phone to the 180-day hazardous waste storage area. The posted information included the name and phone number of the emergency coordinator and the telephone number of the fire department; however, it did not include the location of fire extinguishers or spill control material.

On February 15, 2010, Semiray submitted two photographs demonstrating emergency contact information had been posted in the 180-day hazardous waste storage area; however, it did not include the location of fire extinguishers or spill control material. It was not discernible from the photograph if the emergency contact information was posted next to a telephone.

7. **40 CFR § 262.34(c)(1)(i) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires compliance with the management of containers requirements in 40 CFR § 265.173.**

Pursuant to 40 CFR § 265.173, a container holding hazardous waste must always be closed, except when it is necessary to add or remove waste.

ADEQ compliance officers observed one 5-gallon step can inside the paint booth, which is used for disposal of paint-contaminated wipes, MEK-contaminated wipes, and mixing instruments from chromium-based paints. The container's lid would not close completely, and the contents of the step can were managed as non-hazardous solid waste.

On February 15, 2010, Semiray submitted one photograph of a closed hazardous waste satellite accumulation container for MEK waste. No further action is required.

8. **40 CFR § 262.34(c)(1)(ii) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires each container be labeled or marked clearly with "Hazardous Waste".**

ADEQ compliance officers observed one 5-gallon step can inside the paint booth, which is used for disposal of paint-contaminated wipes, MEK-contaminated wipes, and mixing instruments from chromium-based paints. The container was not marked as "Hazardous

Waste" or with the contents, and the contents of the step can were managed as non-hazardous solid waste.

On February 15, 2010, Semiray submitted one photograph of a hazardous waste satellite accumulation container for MEK waste that was marked "Hazardous Waste." No further action is required.

9. **40 CFR § 262.34(c)(1) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 55 gallon accumulation exemption that requires the containers be at or near the point of generation and under control of the operator of the process generating the waste**

ADEQ compliance officers observed one 5-gallon step can inside the paint booth, which is used for disposal of paint-contaminated wipes, MEK-contaminated wipes, and mixing instruments from chromium-based paints. Employees working in the paint area had to leave their stations to dispose of MEK-contaminated wipes in the paint booth.

On February 15, 2010, Semiray submitted one photograph of a hazardous waste satellite accumulation container for MEK waste; however, the location of the container is not discernible from the photograph.

10. **40 CFR § 262.34(d)(5)(iii) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

**Storage of hazardous waste without a permit by failing to comply with the 180-day accumulation exemption that requires all employees be thoroughly familiar with proper waste handling and emergency response procedures.**

At the time of the inspection, ADEQ compliance officers observed open, undated, unmarked containers of hazardous waste, many of which exceeded the 180-day time limit, as well as uncontainerized hazardous waste in the 180-day hazardous waste storage area. ADEQ compliance officers also observed open, unmarked hazardous waste satellite accumulation containers and hazardous wastes disposed as solid wastes. Semiray could not provide a hazardous waste training plan or otherwise demonstrate that employees had received instruction on proper hazardous waste handling or emergency response procedures.

Based upon the alleged hazardous waste violations observed at the time of the February 1, 2010, inspection, facility personnel responsible for managing hazardous waste had not been made thoroughly familiar with proper handling and emergency response procedures.

On February 15, 2010, Semiray submitted an attendance roster and training plan for on site hazardous waste training conducted on February 9, 2010. No further action is required.

11. **40 CFR § 262.11 / A.A.C. R18-8-262**

**Failure to perform hazardous waste determination**

Pursuant to 40 CFR § 262.11, a person who generates a solid waste must determine if that



waste is a hazardous waste.

ADEQ compliance officers observed one 5-gallon step can inside the paint booth, which is used for disposal of paint-contaminated wipes, MEK-contaminated wipes, and mixing instruments from chromium-based paints. The contents of the step can were managed as non-hazardous solid waste. ADEQ compliance officers inquired how the facility disposes of paint-contaminated tape, paper, and other debris. Facility representatives stated it is disposed as a solid waste; however, Semiray could not provide a waste determination confirming that paint-contaminated waste is not a hazardous waste. Additionally, Semiray could not provide waste determinations for spent blast media from a sandblast machine located in the outside storage area or wastewater from the sump underneath the 180-day hazardous waste storage area.

On February 15, 2010, Semiray submitted the chain of custody for samples collected by the facility of spent sandblast media and water from the sump in the 180-day hazardous waste storage area.

On March 23, 2010, Semiray provided the analytical results for the samples collected of spent blast media and sump water. The laboratory report indicated toxicity characteristic leaching procedure (TCLP) results below regulatory levels for RCRA-8 metals for the blast media and TCLP results below regulatory levels for volatile organic compounds for the sump water. Semiray did not provide analytical results for RCRA-8 metals for the sump water or analytical results for the paint-contaminated waste.

**12. A.A.C. R18-8-270(B)(1)**

**Treatment, storage, or disposal of hazardous waste without a permit**

ADEQ compliance officers observed one 5-gallon step can inside the paint booth, which is used for disposal of paint-contaminated wipes, MEK-contaminated wipes, and mixing instruments from chromium-based paints. The contents of the step can were managed as non-hazardous solid waste. ADEQ compliance officers inquired how the facility disposes of paint-contaminated tape, paper, and other debris. Facility representatives stated it is disposed as a solid waste; however, Semiray could not provide a waste determination confirming that paint-contaminated waste is not a hazardous waste.

**13. A.R.S. § 49-929**

**TSD, transporter, or generator, failure to register or pay annual registration fee.**

Pursuant to A.R.S. §49-929, all hazardous waste treatment, storage and disposal facilities shall register annually with the Department at the time and in the manner prescribed by the Director. The registration is valid for one year from the date of registration. The application for registration shall be accompanied by a registration fee.

Semiray submitted to ADEQ Hazardous Waste Facility Registration Fee Invoices / Facility Annual Reports as a conditionally exempt small quantity generator (CESQG) for the years

2008 and 2009.

Hazardous waste manifests dated September 11, 2008, and October 23, 2008, combined with hazardous waste containers dated for 2008 that were observed on site during the inspection, total approximately 6366 lbs of hazardous waste generated in 2008. If this quantity of hazardous waste was generated evenly over the course of the year, it would categorize Semiray as a small quantity generator (SQG) for 2008; if the waste was generated in one month, it would categorize Semiray as a large quantity generator (LQG) for 2008.

Hazardous waste manifests dated April 23, 2009, and June 22, 2009, combined with hazardous waste containers dated for 2009 that were observed on site during the inspection, total approximately 12,000 lbs of hazardous waste generated in 2009. If this quantity of hazardous waste was generated evenly over the course of the year, it would categorize Semiray as a SQG for 2009; if the waste was generated in one month, it would categorize Semiray as a LQG for 2009.

14. **40 CFR § 273.17 / A.A.C. R18-8-273**

**Small quantity handler failure to immediately contain release of universal waste**

Pursuant to 40 CFR § 273.17(a), a small quantity handler of universal waste must immediately contain all releases of universal wastes and other residues from universal wastes.

Pursuant to 40 CFR § 273.17(b), a small quantity handler of universal waste must determine whether any material resulting from a release of universal waste is hazardous waste, and if so, must manage the hazardous waste in compliance with all applicable requirements of 40 CFR parts 260 through 272.

At the time of the inspection, ADEQ compliance officers observed that Semiray failed to properly contain one broken sodium halide lamp in the maintenance shed. Facility representatives stated they did not know what employees do with spent universal waste lamps, but most likely spent universal waste lamps are disposed as solid waste.

15. **40 CFR § 273.16 / A.A.C. R18-8-273**

**Small quantity handler failure to inform employees of proper handling and emergency procedures appropriate to universal waste.**

Pursuant to 40 CFR § 273.16, a small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste in regards to proper handling and emergency procedures.

At the time of the inspection, ADEQ compliance officers observed that Semiray failed to properly contain one broken sodium halide lamp in the maintenance shed. Facility representatives stated they did not know what employees do with spent universal waste lamps, but most likely spent universal waste lamps are disposed as solid waste. A universal



waste training plan was not available for ADEQ compliance officers.

Based upon the alleged universal waste violation observed at the time of the February 1, 2010, inspection and the lack of a universal waste training plan, facility personnel responsible for managing universal waste have not been informed sufficiently of proper handling and emergency procedures for universal waste.

## II. DOCUMENTING COMPLIANCE

1. Within 45 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or copies of manifests demonstrating that all wastes exceeding the 180-day storage limit have been sent off site for disposal and photographic documentation that the containers described in Section I, alleged violation #1 have been removed from the 180-day hazardous waste storage area.
2. Within 30 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or photographic documentation demonstrating that a portable fire extinguisher and decontamination equipment are readily accessible to the 180-day hazardous waste storage area, and the existing fire extinguishers have been serviced and maintained.
3. Within 30 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or provide photographic or written documentation demonstrating that emergency information including the name(s) and telephone numbers of the emergency coordinator(s); the location of fire extinguishers, spill control equipment, and fire alarm; and the telephone number of the fire department has been posted next to the telephone closest to the 180-day hazardous waste storage area.
4. Within 30 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or photographic documentation demonstrating that hazardous waste satellite accumulation container described in Section I, alleged violation #9, has been placed at or near the point of generation, under control of the operator. Ensure the documentation illustrates where the photograph was taken and which containers the photograph illustrates.
5. Within 45 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or provide waste determinations for the wastes described in Section I, alleged violation #11. The waste determinations should include laboratory analysis for each waste, MSDS, waste profiles from your waste disposal contractors or any other information necessary to determine the proper classification of the wastes observed on site. Contact the Arizona Department of Health Services at (602) 364-0728 for information on approved laboratories. In addition, please provide a written standard operating procedure

(SOP) that ensures all hazardous waste streams, including paint-contaminated tape and debris, will be properly characterized, manifested, and transported to a permitted hazardous waste treatment, storage, or disposal facility.

6. Within 45 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or written documentation demonstrating the development and implementation of a written standard operating procedure (SOP) that ensures all hazardous waste streams, including paint-contaminated tape and debris, will be properly characterized, manifested, and transported to a permitted hazardous waste treatment, storage, or disposal facility.
7. Within 30 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or provide documentation demonstrating that Semiray has revised the Hazardous Waste Facility Registration Fee Invoices / Facility Annual Reports for the years 2008 and 2009, and paid fees as a small quantity generator.
8. Within 30 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or photographic documentation demonstrating the release described in Section I, alleged violation #14 has been adequately contained and managed as hazardous waste or provide documentation that a hazardous waste determination has been performed for the material resulting from the release described in Section I, alleged violation #14, as required in 40 CFR § 262.11, in order to determine the proper method of management and disposal.
9. Within 45 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or written documentation, such as training rosters or certificates, demonstrating the universal waste training completed by employees who handle or have responsibility for managing universal waste.

### III. SUBMITTING COMPLIANCE DOCUMENTATION

Please send all compliance documentation and any other written correspondence regarding this Notice to ADEQ at the following address:

Arizona Department of Environmental Quality, Attention: Pamela Nicola, Hazardous Waste Inspections & Compliance Team 2, 1110 W Washington St, Phoenix, AZ 85007 MC: N/A



#### IV. STATEMENT OF CONSEQUENCES

1. The time frames within this Notice for achieving and documenting compliance are firm limits. Failure to achieve or document compliance within the time frames established in this Notice will result in an administrative compliance order or civil action requiring compliance within a reasonable time frame, substantial civil penalties, and/or the suspension or revocation of an applicable permit/license. ADEQ will agree to extend the time frames only in a compliance schedule negotiated in the context of an administrative consent order or civil consent judgment.
2. Achieving compliance does not preclude ADEQ from seeking civil penalties, and/or suspending or revoking an applicable permit/license for the violation(s) alleged in this Notice as allowed by law.

#### V. OFFER TO MEET

ADEQ is willing to meet regarding this Notice. To obtain additional information about this Notice or to schedule a meeting to discuss this Notice, please contact Pamela Nicola at (602) 771-4579.

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Mel Bunkers, Manager  
Hazardous Waste Inspections & Compliance Unit

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Pamela Nicola  
Hazardous Waste Inspections & Compliance  
Team 2



**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY  
HAZARDOUS WASTE INSPECTIONS AND COMPLIANCE UNIT**

**HAZARDOUS WASTE INSPECTION REPORT**

**FACILITY NAME:** Semiray Special Process Division

**EPA ID NUMBER:** AZD 981 636 129

**STREET ADDRESS:** 3027 E. Washington St.

**CITY/STATE/ZIP:** Phoenix, Arizona 85034

**LATITUDE/LONGITUDE:** N33° 26' 52.9" / W112° 00' 57.9"

**TELEPHONE NUMBER:** (602) 275-1917

**MAILING ADDRESS:** 3027 E. Washington St., Phoenix, Arizona 85034

**INSPECTION DATE:** April 19, 2011

**FACILITY REPRESENTATIVE(S) AND TITLE(S):**

1. Mike Howcroft, Chemical Process Manager
2. Craig O'Harris, Maintenance Manager

**ADEQ REPRESENTATIVE(S):**

1. Eder Delgadillo, Compliance Officer, Hazardous Waste Inspections and Compliance Unit
2. Jaclyn Palermo, Compliance Officer, Hazardous Waste Inspections and Compliance Unit

**OTHER PARTICIPANTS/AGENCIES:**

None

**NOTE:** Any omissions in this report and any accompanying notices shall not be construed as a determination of compliance with applicable regulations. Any regulatory citations to 40 CFR are as adopted by the Arizona Administrative Code, A.A.C. R18-8-201 *et seq.*

## **1. BACKGROUND INFORMATION**

Representatives of the Arizona Department of Environmental Quality (ADEQ), Hazardous Waste Inspections and Compliance Unit (HWICU) conducted a routine small quantity generator (SQG) inspection of Semiray Special Process Division (Semiray) on April 19, 2011. The purpose of the inspection was to determine compliance with applicable hazardous waste rules and regulations.

According to ADEQ records, the last hazardous waste inspection of Semiray was completed by the HWICU on February 1, 2010. Semiray received a Notice of Violation (NOV) on April 26, 2010, as a result of the February 1, 2010, inspection. The alleged violations included in the NOV were: storage of hazardous waste exceeding 180 days, failure to label hazardous waste containers with the words "Hazardous Waste," failure to keep hazardous waste containers closed, failure to satisfy 40 CFR Subpart C SQG requirements, failure to have hazardous waste at or near the point of generation, failure to have emergency information posted next to the phone, failure to train employees of proper hazardous waste handling and emergency procedures, failure to perform hazardous waste determination, failure to pay annual generation fees, small quantity handler of universal waste failure to contain a universal waste release, small quantity handler of universal waste failure to inform employees of proper universal waste handling and emergency procedures, and treating, storing, or disposing of hazardous waste without a permit.

The facility has reported the following to the ADEQ Geographic Information Systems & Information Technology Unit:

**EPA Notification Form 8700-12 Status/Year:** SQG / 2004

**Facility Annual Report Status/Year:** SQG / 2009

**Annual ADEQ Facility Registration Fee Status/Year:** SQG / 2010

**Database Manifest Totals:** 10,300 lbs. / 2010

During the inspection, Semiray reported the following other permits or activities:

**Air Quality Permits:** Maricopa County Non-Title V # 970573

**Drywells:** Two

**Sewer System/Septic:** City of Phoenix Sewer

**APP #:** None

**AZPDES or NPDES #:** None

**Landfill/Dumpster/Hauler:** Waste Management

**Hazardous Waste Hauler:** Stericycle Specially Waste Solutions, Inc. (MNS 000 110 924)

**Precious Metals Hauler:** None

**Scrap Metal Recycler:** Davis Salvage Co.

**Underground Storage Tanks:** None

**Last Fire Department Inspection:** April 13, 2010



## 2. GENERAL INFORMATION

Semiray services the aerospace, automotive, and electronics industries; processes at the facility include non-destructive testing, painting, and chemical production lines consisting of a passivation line to clean the materials, chromic and sulfuric acid anodizing lines, an etching line, and non-cyanide baths. The parent company, Semiray Inspection Services, is located in Glendale, Arizona; facility representatives stated only X-ray and inspection operations occur at the Glendale facility. Semiray has operated under several historical names including Kachina Testing Laboratories and Kachina Technical Services.

The facility is approximately 16,000 square feet and has been in operation at its current site since the 1980s under the ownership of several different companies. Semiray Special Processes Division has been operating since November 2005. Semiray employs approximately 49 persons at the facility and the normal hours of operation are 6:00am to 5:00pm, Monday through Friday, although hours may extend based on facility requirements.

According to the September 2, 2004, HWICU inspection report, Kachina purchased the facility from Joray Corporation in 1999. BOC Edwards co-operated the facility producing semiconductors. Kachina bought BOC Edwards in 2000. During 1999 and 2000, a site assessment was performed, which lead to the discovery of chlorinated solvent contamination in two drywells onsite and in the liquid containment chamber connected to the southern drywell. In 1999, the solvent contamination was below the residential soil remediation levels (SRLs) but was not compared to the groundwater protection levels (GPLs). Lead contamination under part of the building was also detected above the SRLs, requiring that the deed to the property be burdened with a declaration of environmental use restriction (DEUR) completed in 2003. According to facility representatives in 2004, degreasing with trichloroethylene (TCE) and trichloroethane (TCA) was discontinued in 2003. The shipment of TCE and TCA in 2004 was the last remaining hazardous waste generated in the degreasing operations.

### WASTE STREAM IDENTIFICATION AND HANDLING

Waste No.	Waste Stream	Amount	Handling Description
D001, D007, D035, F003, F005	Waste Flammable Liquids	1,450 lbs.	900 lbs. were shipped off-site as hazardous waste to Clean Harbors Arizona, LLC, in Phoenix, AZ. 550 lbs. were shipped off-site as hazardous waste to Rineco Chemical Industries, Inc., in Benton, AR.

D001, D035, F003	Plating Waste	6,750 lbs.	3,600 lbs. were shipped off-site as hazardous waste to Rineco Chemical Industries, Inc., in Benton, AR.  3,150 lbs. were shipped off-site as hazardous waste to Clean Harbors Arizona, LLC, in Phoenix, AZ.
F007 & F006	Plating Sludge	2,100 lbs.	2,100 lbs. were shipped off-site as hazardous waste to U.S. Ecology Nevada Inc., in Beatty, NV.

**Source of information for table:** 2010 ADEQ database

### 3. PHYSICAL INSPECTION

ADEQ compliance officers arrived at 3027 E. Washington St., Phoenix, at approximately 9:30 am, on April 19, 2011 (Photograph #1). ADEQ compliance officers identified themselves to Mike Howcroft, Chemical Process Manager and Craig O'Harris, Maintenance Manager, for Semiray. The ADEQ Notice of Inspection Rights form was explained to and signed by Mr. Howcroft. Facility operations were briefly discussed with Mr. Howcroft and Mr. O'Harris, who accompanied ADEQ compliance officers on the entire inspection.

#### Southside of Building:

At the time of the inspection, ADEQ compliance officers observed a drywell. Mr. Howcroft stated there was an approximately 6,000 gallon catch basin that emptied into the drywell (Photograph #2).

#### 180-Day Hazardous Waste Storage Area:

At the time of the inspection, ADEQ compliance officers observed two "No Smoking" signs on the outside of the 180-Day Hazardous Waste Storage Area fence (Photograph #3). In the 180-Day Hazardous Waste Storage Area, ADEQ compliance officers observed three 55-gallon containers of "Solvent Waste," one 55-gallon container of "Paint Waste," two Super Sack® totes of sludge from the filter press, and one cardboard box of spent filters. All hazardous waste containers were closed, properly marked, and dated (Photograph #4). ADEQ compliance officers observed that there was adequate aisle spacing. At the time of the February 1, 2010 hazardous waste inspection, this was noted as an area of concern.

During the inspection, ADEQ compliance officers observed one 55-gallon labeled as "Hazardous Waste Tank Waste," and one 7-gallon labeled as "Hazardous Waste Chrome Waste" that exceeded the 180-day storage requirement (Photograph #5). The 55-gallon hazardous waste container labeled as "Hazardous Waste Tank Waste" was dated "7/24/10" (Photograph #6).

The 7-gallon hazardous waste container labeled as “Hazardous Waste Chrome Waste” was dated “8/22/10” (Photograph #7). At the time of the February 1, 2010 hazardous waste inspection, this was noted as an area of concern.

At the time of the inspection, ADEQ compliance officers observed that the 180-Day Hazardous Waste Storage Area was equipped with: a spill kit, emergency phone numbers, emergency communications system, emergency shower, eyewash station, and fire extinguishers (Photograph #8, #10).

A self-contained sump is located underneath the hazardous waste containers to collect any hazardous waste spills and rain water. The sump is approximately four to five feet deep and holds approximately 300 gallons. At the time of the inspection, ADEQ compliance observed that the sump was free of debris and did not contain any free standing liquid (Photograph #9). At the time of the February 1, 2010 hazardous waste inspection, this was noted as an area of concern.

Materials Storage Area:

During the inspection, ADEQ compliance officers observed that the floor in the Materials Storage Area is clean and free of debris (Photograph #11). At the time of the February 1, 2010 hazardous waste inspection, this was noted as an area of concern.

On a metal shelf, ADEQ compliance officer observed two closed, "12-10-10" dated, and labeled "Spent Lamps" cardboard containers of universal waste lamps (Photograph #12). At the time of the February 1, 2010 hazardous waste inspection, mismanagement of universal waste was noted.

Outside Storage Area:

At the time of the inspection, ADEQ compliance officers observed two 5-gallon containers of product sandblast media located under the sandblast machine. At the time of the February 1, 2010 hazardous waste inspection, this was noted as an area of concern; however, the observed material was a product and not a waste (Photograph #13).

Wastewater Treatment Area:

During the inspection, ADEQ compliance officers observed one closed and marked as "Hazardous Waste Sludge" Super Sack ® (hazardous waste satellite container) tote with less than 55-gallons of plating sludge (Photograph #14). The plating sludge is generated at the time the filter press is activated.

#### **4. DOCUMENT REVIEW**

The records requested for review on the records request form were consistent with those required for a SQG facility (Attachment #1).



**RCRA Subtitle C Site Identification Form 8700-12**

Semiray will submit a RCRA Subtitle C Site Identification Form 8700-12 with updated information for site contact person and more waste codes.

**Facility Annual Report, Registration Fees, Generation Fees**

At the time of the inspection a copies of current Facility Annual Report, Registration Fees, and Generation Fees were unavailable to ADEQ compliance officers. Mr. Howcroft stated he would submit the copies as soon as he found them.

**Waste Determination Records**

At the time of the inspection ADEQ compliance officers did not ask for analyticals. Mr. Howcroft was knowledgeable with the facilities processes. All process waste is managed as hazardous waste.

**Manifests**

At the time of the inspection, Mr. Howcroft provided ADEQ compliance officers with manifest 003192468 FLE. Mr Howcroft also provided ADEQ compliance officers with manifest 003500692 FLE and 003500691 FLE that were attached to a June 3, 2010 cover letter (Attachment #3).

**5. EXIT DEBRIEFING AND RECOMMENDATIONS**

At the conclusion of the inspection, ADEQ compliance officers debriefed Mr. Howcroft and Mr. O'Harris on the areas of concern identified during the inspection. See the Exit Debriefing Form provided to the facility on April 19, 2011 (Attachment #1).

**6. FACILITY RESPONSE**

A 10-day facility submittal was received by ADEQ on April 19, 2011 (Attachment #4). Included in the 10-day submittal was a response to the following issues outlined in the Exit Debriefing Form:

- Mr. Howcroft submitted hazardous waste manifest 004142393 FLE and waste profiles to demonstrate that the 55-gallon hazardous waste container and the 7-gallon hazardous waste container were properly managed as hazardous waste. Both hazardous waste containers were located in the 180-Day Hazardous Waste Storage Area and exceeded the 180-day storage requirement.
- Mr. Howcroft submitted copies of the hazardous waste generation and registration fee invoices for the year 2010.

- Mr. Howcroft submitted an updated RCRA Subtitle C Site Identification Form (8700-12) with updated information. The 8700-12 form was signed by Mr. Howcroft and dated April 20, 2011. The 8700-12 form was submitted incomplete. The 8700-12 form was missing a date in the “Date Became Owner” box, in the “Site Contact Person.” The updated 8700-12 form had D007 and D002 as new waste codes.
- Mr. Howcroft submitted a photograph to demonstrate one 55-gallon container and one lined cardboard box of waste are located in the 180-Day Hazardous Waste Storage Area.

Arizona Department of Environmental Quality  
Hazardous Waste Inspections and Compliance Unit

**ATTACHMENTS**

1. Hazardous waste inspection field forms
  - Notice of Inspection Rights
  - Hazardous Waste Records Request
  - Inspection Exit Debriefing
2. Documents reviewed prior to the inspection
  - Registration Fees for (2009)
  - Notification Form 8700-12
3. Documents provided during the inspection
  - Manifests and Profiles
4. Facility Submittals
  - 10-Day Response to the Exit Debriefing received (April, 20 & 21, 2011)

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\* Attachments are located in the ADEQ Hazardous Waste Inspections and Compliance Facility File and may be requested for viewing through the ADEQ Records Management Unit



Arizona Department of Environmental Quality  
Hazardous Waste Inspections and Compliance Unit

PHOTOGRAPHIC LOG

**Site Location:** Semiray Special Processes Division  
3027 E. Washington Ave., Phoenix AZ 85034

**Photographer:**  
Jaclyn Palermo

**Camera:**  
Olympus Stylus 850

**Weather:**  
Clear and Cool

**Photo No.** 1  
**Date:** 4/19/11

**Direction Photo Taken:**  
South

**Photo Description:**

Facility Sign



**Photo No.** 2  
**Date:** 4/19/11

**Direction Photo Taken:**  
Northwest

**Photo Description:**


Southside of Building:

Drywell, left side, has a secondary opening in the middle of the photograph.








<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 5	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> South		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 7-gallon container marked as "Chrome Waste" dated "8/22/10;" and one 55-gallon container marked as "Tank Waste" and dated "7/24/10." The containers were closed and properly marked, but were generated more than 180 days from the date of the inspection.		

<b>Photo No.</b> 6	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> South		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 55-gallon container marked as "Tank Waste" and dated "7/24/10." The container was closed and was properly marked, but was stored longer than 180 days.		

<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 7	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Close Up		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  One 7-gallon Container marked "Hazardous Waste Nitric/HF Crystallization" and dated "8/22/10." The container was closed and was properly marked, but was stored longer than 180 days.		


<b>Photo No.</b> 8		<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> North			
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  A spill kit, emergency phone numbers, emergency communications system, adequate aisle spacing, emergency shower, eyewash station, and fire extinguishers were observed in the 180-Day Hazardous Waste Storage Area.			



<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 9	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  The grating was clean, dry, and free of debris. In the hazardous waste inspection, conducted on February 1, 2010, this area was an area of concern.		

<b>Photo No.</b> 10	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Southeast		
<b>Photo Description:</b>  180-Day Hazardous Waste Storage Area:  A spill kit, emergency phone numbers, emergency communications system, adequate aisle spacing, emergency shower, eyewash station, and fire extinguishers were observed in the 180-Day Hazardous Waste Storage Area.		


<b>Photographer:</b> Jaclyn Palermo	
<b>Photo No.</b> 11	<b>Date:</b> 4/19/11
<b>Direction Photo Taken:</b> South/Down	
<b>Photo Description:</b>  Materials Storage Area:  Flooring in the Materials Storage Area is clean and free of debris. In the hazardous waste inspection, conducted on February 1, 2010, this area was an area of concern.	

A photograph showing a materials storage area. On a wooden pallet shelf, there are several containers: a white jug with a green label, a blue drum labeled 'TE-300N', a white bag, and a blue drum labeled 'CHROM'. Below the shelf, a label on the floor reads 'Sodium Bichromate'. The floor is concrete and appears clean.

<b>Photo No.</b> 12	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  Materials Storage Area:  Two closed, "12-10-10" dated, and labeled "Spent Lamps" cardboard containers of universal waste lamps.		



<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 13	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  Outside Storage Area:  Two 5-gallon container of sandblast media located under the sandblast machine. In the hazardous waste inspection, conducted on February 1, 2010, this area was noted as an area of concern; however, the observed material was a product and not a waste.		


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<b>Photo No.</b> 14	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> South		
<b>Photo Description:</b>  Wastewater Treatment Area:  One closed and marked as "Hazardous Waste" Super Sack ® (hazardous waste satellite container) tote with less than 55-gallons of plating sludge.		



<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 15		<b>Date:</b> 4/19/11
<b>Direction Photo Taken:</b> South		
<b>Photo Description:</b>  Paint Booth:  Two non-hazardous waste satellite containers of personal protection equipment (PPE). The paint used in the Paint Booth does not contain hazardous waste.		


<b>Photo No.</b> 16	<b>Date:</b> 4/19/11
<b>Direction Photo Taken:</b> North	
<b>Photo Description:</b>  Masking Area:  The Masking Area has been moved since the February 1, 2010 hazardous waste inspection.  One closed 45-gallon hazardous waste satellite container marked as "Hazardous Waste MEK [Methyl Ethyl Ketone] Paint Waste."	



<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 17	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  Former Chemfilm Line:  The Chemfilm Line observed during the February 1, 2010 hazardous waste inspection has since been decommissioned and a new epoxy floor has been applied. The tanks depicted in the photo are new, empty, and not in use.  In the hazardous waste inspection, conducted on February 1, 2010, this area was noted as an area of concern.		

<b>Photo No.</b> 18	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  Former Chemfilm Line  Debris was not observed in the sump. In the hazardous waste inspection, conducted on February 1, 2010, this area was noted as an area of concern.		




<b>Photographer:</b> Jaclyn Palermo	
<b>Photo No.</b> 19	
<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down	
<b>Photo Description:</b>  Former Chemfilm Line:  In the hazardous waste inspection, conducted on February 1, 2010, this area was noted as an area of concern.  This is the former location of the Chrome Area/ Wet Chem Processing Line.	


<b>Photo No.</b> 20	<b>Date:</b> 4/19/11
<b>Direction Photo Taken:</b> Southeast	
<b>Photo Description:</b>  ADEQ compliance officers observed standing liquid on the floor next to the alkaline cleaner tank.  The pH strip indicated the solution had a pH of 10; the solution is not a RCRA hazardous waste.	

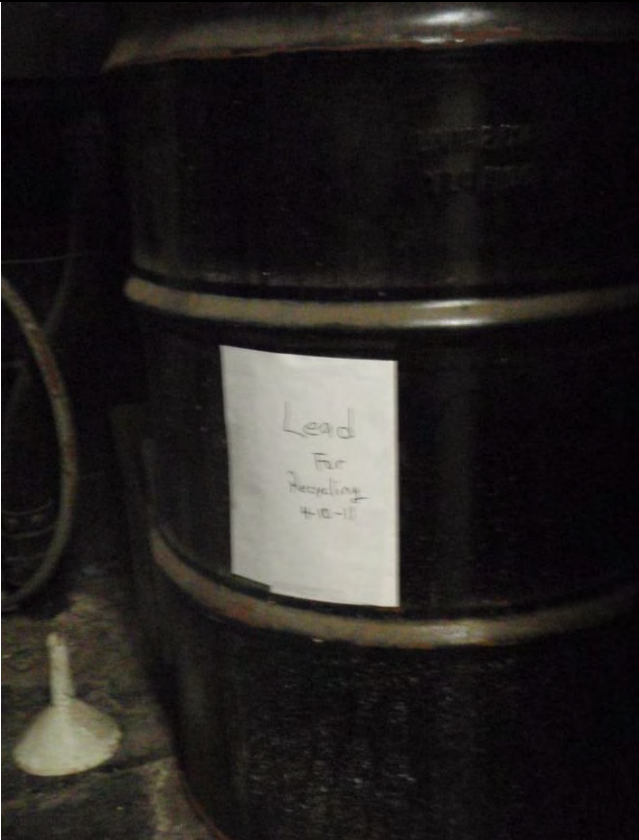

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<b>Photographer:</b> Jaclyn Palermo		
<b>Photo No.</b> 21	<b>Date:</b> 4/19/11	
<b>Direction Photo Taken:</b> Down		
<b>Photo Description:</b>  ADEQ compliance officers observed standing liquid on the floor next to the alkalene cleaner tank.  The pH strip indicated the solution had a pH of 10; the solution is not a RCRA hazardous waste.		

<b>Photo No.</b> 22	<b>Date:</b> 4/19/11
<b>Direction Photo Taken:</b> Down	
<b>Photo Description:</b>  Wet Chemical Process Anodizing Line:  An area of the sump, which is connected to the Wastewater Treatment Unit.  In the hazardous waste inspection, conducted on February 1, 2010, this area was noted as an area of concern.	



<b>Photographer:</b> Jaclyn Palermo			
<table border="1"> <tr> <td data-bbox="107 695 264 772"> <b>Photo No.</b>  23 </td><td data-bbox="264 695 418 772"> <b>Date:</b>  4/19/11 </td></tr> </table>	<b>Photo No.</b> 23	<b>Date:</b> 4/19/11	
<b>Photo No.</b> 23	<b>Date:</b> 4/19/11		
<b>Direction Photo Taken:</b> South			
<b>Photo Description:</b>  X-Ray:  One closed 55-gallon container of lead was observed. The lead is used to block any area that is not supposed to be viewed in x-ray.  Facility representatives stated the lead is continuously used at the facility, but will be recycled when decided it is no longer needed.			



Janice K. Brewer  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street Phoenix, Arizona 85007  
(602) 771-2300 www.azdeq.gov



Henry R. Darwin  
Director

CERTIFIED MAIL  
Return Receipt Requested

Case ID #: 124737

June 22, 2011

Semiray Inspection Services Inc  
Attention: Michael J. Howcroft  
3027 E Washington St  
Phoenix, AZ 85034-1517

Subject: Semiray Special Processes, Place ID 2797  
3027 E Washington St / Phoenix, AZ 85034-1517

## NOTICE OF VIOLATION

The Arizona Department of Environmental Quality (ADEQ) has reason to believe that Semiray Inspection Services Inc as the owner/operator of Semiray Special Processes has violated a requirement of the Arizona Revised Statutes (A.R.S.), a rule within the Arizona Administrative Code (A.A.C.), or an applicable permit/license, administrative order or civil judgment. ADEQ discovered the violations alleged below during an inspection completed on April 19, 2011.

### I. LEGAL AUTHORITY and NATURE OF ALLEGED SIGNIFICANT VIOLATION(S)

#### 1. **40 CFR § 262.34(d) / A.A.C. R18-8-262 / A.A.C. R18-8-270(B)(1)**

#### **Storage of hazardous waste without a permit by failing to comply with the permit exemption that requires accumulation not exceed 180 days**

At the time of the inspection, ADEQ compliance officers observed a 7-gallon and a 55-gallon hazardous waste storage containers with storage accumulation start dates exceeding 180 days. The 7-gallon hazardous waste storage container was dated "8/22/10," and the 55-gallon hazardous waste storage container was dated "7/24/10."

This is a repeat violation from the February 1, 2010 inspection that resulted in a Notice of Violation issued on April 26, 2010.

In a submittal, received on April 20, 2011, the Semiray Special Process Division (Semiray) representative submitted hazardous waste manifest number 004142393 FLE to demonstrate the 7-gallon and the 55-gallon hazardous waste storage containers with storage accumulation start dates exceeding 180 days had been properly shipped off-site as hazardous waste for disposal.

No further action is required.



## II. LEGAL AUTHORITY and NATURE OF OTHER ALLEGED VIOLATION(S)

### 1. **A.R.S. § 49-931**

#### **Failure to pay a hazardous waste fee**

At the time of the inspection, Semiray had failed to pay the hazardous waste generation fee for the year 2010.

In a submittal, received on April 20, 2011, the Semiray representative submitted the hazardous waste generation invoice to demonstrate the hazardous waste generation fee for the year 2010 had been paid.

No further action is required.

### 2. **A.R.S. § 49-931**

#### **Failure to pay a hazardous waste fee**

At the time of the inspection, Semiray had failed to pay the hazardous waste registration fee for the year 2010.

In a submittal, received on April 21, 2011, Semiray representative submitted hazardous waste registration invoice to demonstrate the hazardous waste registration fee for the year 2010 had been paid.

No further action is required.

## III. DOCUMENTING COMPLIANCE

1. Within 10 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or within 10 days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or any documents Semiray believes may provide clarification of the alleged violations. However, Semiray has already documented that compliance has been achieved and no further response is required from the facility.

## IV. SUBMITTING COMPLIANCE DOCUMENTATION

Please send all compliance documentation and any other written correspondence regarding this Notice to ADEQ at the following address:

Arizona Department of Environmental Quality, Attention: Eder Delgadillo, Hazardous Waste Inspections & Compliance Team 1, 1110 W Washington St, Phoenix, AZ 85007 MC: N/A

## V. STATEMENT OF CONSEQUENCES

### Significant Violations

1. The time frames within this Notice for achieving and documenting compliance for the violation(s) alleged in Section I of this Notice are firm limits. Failure to achieve or document compliance for the violation(s) alleged in Section I of this Notice within the time frames established in this Notice will result in an administrative compliance order or civil action requiring compliance within a reasonable time frame, substantial civil penalties, and/or the suspension or revocation of an applicable permit/license. ADEQ will agree to extend the time frames for achieving and documenting compliance for the violation(s) alleged in Section I of this Notice only in a compliance schedule negotiated in the context of an administrative consent order or civil consent judgment.
2. Achieving compliance does not preclude ADEQ from seeking civil penalties, and/or suspending or revoking an applicable permit/license for the violation(s) alleged in Section I of this Notice as allowed by law.

### Other Violations

3. ADEQ may take any enforcement action authorized by law for the violation(s) alleged in Section II of this Notice, if the violation(s) are not corrected, or if ADEQ determines that the violation(s) have not been corrected in the time frames within this Notice.

## VI. OFFER TO MEET

ADEQ is willing to meet regarding this Notice. To obtain additional information about this Notice or to schedule a meeting to discuss this Notice, please contact Eder Delgadillo at (602) 771-4851.

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Mel Bunkers, Manager  
Hazardous Waste Inspections & Compliance Unit

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Eder Delgadillo  
Hazardous Waste Inspections &  
Compliance Team 1